

**STATE OF RHODE ISLAND
DEPARTMENT OF CHILDREN, YOUTH AND FAMILIES**

PUBLIC NOTICE OF PROPOSED RULE-MAKING

In accordance with Rhode Island General Law (RIGL) 42-35 and 42-72-5, notice is hereby given that the Department of Children, Youth and Families proposes to amend the following Department rule:

**School Age Child Care Program
Regulations for Licensure**

This rule is amended for clarity and measurability in order to standardize Rhode Island's Child Care and School Age programs with national standards and nationally recognized best practice. Changes have been made to terms, names and position titles to align with the Rhode Island Department of Education, and national trends. Standards have been regrouped within sections of the rule or moved to new sections. In the amendment of this rule, consideration was given to the following: (1) alternative approaches and (2) overlap or duplication with other statutory and regulatory provisions. No alternative approach or duplication or overlap was identified based upon available information.

This amended rule is accessible on the DCYF website (<http://www.dcyf.ri.gov>) or the Rhode Island. Secretary of State's website (<http://www.sec.state.ri.us/ProposedRules/>).

A public hearing will be held to consider the proposed rule amendment on Thursday, July 11, 2013 at 6:00 PM at the DaVinci Center for Community Progress, Inc., 470 Charles Street, Providence, RI 02904. Interested persons should submit data, views or written comments by Thursday, July 25th, 2013 to Sarah St. Jacques, Policy Office, Department of Children, Youth and Families, 101 Friendship Street, Providence, Rhode Island 02903, sarah.st.jacques@dcyf.ri.gov.

STATE OF RHODE ISLAND
DEPARTMENT OF CHILDREN, YOUTH AND FAMILIES



School Age Child Care Program
Regulations for Licensure

July 2013

RI Department of Children, Youth and Families
School Age Child Care Program
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SECTION ONE - GENERAL PROVISIONS

I. LEGAL BASIS

Rhode Island General Laws RIGL 42-72-5 – Department of Children, Youth and Families
RIGL 42-72.1 – Licensing and Monitoring of Child Care Providers and Child-Placing Agencies
RIGL 40-13.2 – Certification of Child Care and Youth Serving Agency Workers
RIGL 23-28.15 – CHILD CARE PROGRAMS

II. DEFINITION

The primary purpose of licensing a school-age child care program is to safeguard the well-being of the children/youth served. Granting a license means there is clear evidence that the building and grounds are safe; that staff are appropriately trained and responsible; and that the program reflects an understanding of the healthy growth and development of children and youth. Further, the license is meant to be an assurance to parents and the community that the children and youth are being cared for in a safe, healthy environment where appropriate activities, time schedules, food, materials, equipment and staff are consistently available and are used for encouraging and supporting the children's/youth's physical, social, emotional and intellectual growth.

School Age Child Care Program

Regulations for Licensure

SECTION TWO - LICENSING PROVISIONS

THE LICENSING PROCESS

~~The primary purpose of licensing a school-age child care center is to safeguard the well-being of the children/youth served. Granting a license means there is clear evidence that the building and grounds are safe; that staff are appropriately trained and responsible; and that the program shall, in practice, reflect an understanding of the healthy growth and development of children and youth. Further, the license is meant to be an assurance to parents and the community that the children and youth are being cared for in a safe, healthy environment where appropriate activities, time schedules, food, materials, equipment and staff are consistently available and are used for encouraging and supporting the children's/youth's physical, social, emotional, and intellectual growth.~~

~~Licensing is a method of regulation designed to implement the state's obligation to the families whose children/youth attend school-age child care centers. A license is granted after a detailed evaluation of the facility and program has shown that conformity to the established regulations prevails. The regulations used for this evaluation are described in SECTION II of this publication. An application for licensure may be obtained from the Child Care Licensing Office of the Rhode Island Department of Children, Youth and Families.~~

I. APPLICATION PROCESS

A. Procedure for obtaining a license

1. Any person, firm, corporation, association or agency interested in opening a school-age childcare program contacts the Department of Children, Youth and Families (hereinafter, the Department) Department's licensing unit for assignment to a licensing worker.
2. An initial consultation is held upon request to review the regulations, discuss the need for such a program in the chosen community, review the proposed program and examine the financial resources available.

3. A preliminary visit to the proposed facility is made by the licensing worker to determine the feasibility of achieving compliance with regulations.

B. Application Packet

1. An application for licensure is filed on the forms provided by the Department's licensing office.
2. A separate application is filed for each physical facility to be operated. A complete application, including all supporting documentation, is submitted.
3. The application includes, but is not limited to:
 - a. the full name, address, mailing address, email address and phone number of the prospective program;
 - b. the full name and address of the applicant;
 - c. information on incorporation, including, if incorporating, the names, addresses and titles of the board of directors of the corporation;
 - d. information on the building in which the program is housed, including sketches of the indoor area showing the activity rooms to be used for childcare, the kitchen or food preparation area, the bathrooms for children and staff and the office space;
 - e. information on the outdoor play area, including a sketch of this area showing accessibility to the building and the rooms used for child care;
 - f. information on the number and ages of children to be served, age groupings and staff/child ratio;
 - g. the name and qualifications of all anticipated staff;
 - h. medical information on staff;
 - i. employment checks, criminal record background checks to include fingerprints, and clearance of agency activity checks in accordance with SECTION THREE - LICENSING STANDARDS V. Employment Background Criminal Record and Clearance of Agency Activity Checks, of these regulations below.
 - j. information on the program, including the daily schedule of activities, the philosophy of the program and the developmental goals and objectives on which the program is based;
 - k. a listing of the equipment and materials, both indoor and outdoor, available for the implementation of the program;
 - l. information on the daily feeding program;
 - m. financial information, including a statement of the financial assets, liabilities and net worth of the applicant, the means of financing and an anticipated yearly budget for the program; and
 - n. a statement signed by the applicant, acknowledging that they have read and agree to comply with these regulations.

C. Inspection approvals

1. Prior to the issuance of a license, documentation of the facility's compliance with local zoning ordinances and with the applicable sections of the state fire, building, health and sanitation codes is submitted.
2. Prior to the issuance of a license, a visit is made to the facility by the licensing worker in order to determine compliance with the regulations and to develop the maximum capacity for the program.
3. Upon receipt of a completed application, inspection approvals and a report from the licensing worker addressing compliance with the regulations, one of the following actions occurs:
 - a. issuance of a full license; or
 - b. issuance of a provisional license; or
 - c. denial of licensure.

II. LICENSE

A. Provisional license

1. A provisional license is issued to a newly established program upon successful completion of the application process.
2. This license is granted for a limited period, not to exceed six months.
3. The provisional license allows the licensee time to develop an operational program that meets the needs of the children served and to demonstrate the program complies with these regulations.
4. Prior to the expiration of a provisional license, the operation of the childcare program is evaluated to determine compliance with the regulations.

B. Full license

1. A full license is issued to a program that complies with these regulations.
2. The license is valid for a period not to exceed one year, expiring annually on July 31.

C. Probationary license

1. A probationary license is issued in place of a full license at any time when a licensee is temporarily unable to comply with a regulation or regulations, provided that the area or areas of noncompliance do not present an immediate threat to the health and well-being of the children.
2. Before a probationary license is issued, the licensee submits written documentation that the area(s) of non-compliance do not present a threat to the health and well-being of the children and a plan to correct the area(s) of non-compliance.
3. This plan is approved by the Department's licensing supervisor.

III. LICENSE RENEWAL

A. Renewal of license

1. A licensee files a renewal application on the forms provided by the Department's Licensing Office at least sixty days prior to the expiration of the license.
2. Current inspection approvals are submitted prior to renewal to verify that the facility remains in compliance with the appropriate sections of the state fire, building, health and sanitation codes.
3. Upon receipt of a renewal application and appropriate inspection approvals, one of the following actions is taken:
 - a. issuance of a full license; or
 - b. issuance of a probationary license; or
 - c. denial of licensure.

- B. Licensing workers from the Department's licensing unit make periodic unannounced monitoring visits to the program during the hours of operation in order to determine compliance with the regulations.

IV. DENIAL, REVOCATION OR SUSPENSION OF LICENSE

A. Revocation or denial of a license

1. A license is denied or revoked for failure to comply with these regulations or when there is evidence that the operation of the childcare program poses a threat to the health and/or safety of children enrolled.
2. The licensing administrator notifies an applicant or licensee in writing of the Department's decision to deny or revoke a license.
3. The written notification contains the reason for the denial or revocation.
4. Notice of denial or revocation is sent to the applicant or licensee at least ten days prior to the effective date of the action, unless there is sufficient evidence to warrant immediate closure.

- B. If necessary, the licensing administrator orders the immediate removal of all children and the closing of the facility.
- C. The applicant or licensee has the right to a hearing on the denial or revocation of a license. All administrative hearings for appeals relating to licensing violations or terms are held in accordance with DCYF Policy 100.0055, Complaints and Hearings (<http://sos.ri.gov/rules/>).

V. VARIANCE

- A. Variance
 - 1. The licensing administrator may allow a variance to a regulation providing that the variance in no way jeopardizes the health, safety or well-being of the children.
 - 2. The licensee submits a written request for variance to the licensing administrator. This request contains documentation as to how the licensee plans to meet the intent of the regulation to be varied.
 - 3. The licensing administrator may request additional documentation as deemed necessary.
- B. Provisions of the license:
 - 1. The license states the maximum number of children and the age groups served in the program. The program never exceeds the capacity for which it is licensed.
 - 2. The license states the dates of validity.
 - 3. The license is posted in a conspicuous place in the program.
 - 4. The license is not transferable, is granted only to the designated licensee and is limited to the stated location.
 - 5. The licensee notifies the Department's licensing unit in writing of the following:
 - a. intent to change the name of the program or the location;
 - b. intent to change the ownership of the program;
 - c. change of director or site coordinator;
 - d. change in the physical facility;
 - e. change in the numbers or ages of children served;
 - f. any major changes in the program.
 - 6. The license entitles the Director of the Department or designee and the Child Advocate or designee the right of entrance, the privilege to inspect and access to all records in order to ascertain compliance with these regulations and to investigate complaints.
 - 7. When the operation of a childcare program is discontinued, the licensee provides the Department's licensing unit with written notification at least thirty days prior to the closure.

VI. PROCEDURE FOR APPEAL/HEARING

- A. Any applicant for licensure or license holder may appeal any action or decision of a Departmental staff person, supervisor or administrator that is adverse to the person's status as an applicant or license holder.
- B. A written request for hearing is submitted to the licensing administrator prior to the effective date of the action or within ten days of receipt of the written notice of denial.
- C. All administrative appeals/hearings relating to licensing actions or decisions are held in accordance with **DCYF Policy 100.0055, Complaints and Hearings**.

SECTION THREE - LICENSING STANDARDS

I. PHYSICAL SPACE AND HOME SAFETY

A. Physical facilities

1. The indoor and outdoor facilities foster the children's growth and development through a variety of opportunities for safe exploration and learning.
2. Prior to licensing, physical facilities must:
 - a. comply with building, fire, health and sanitation codes.
 - b. provide evidence that the facility and water source are lead free or lead safe;
 - c. provide evidence of being asbestos-free or asbestos safe.
 - d. have an acceptable score on a radon test within the last three years and;
 - e. be accessible for children and adults with disabilities in accordance with the American with Disabilities Act (ADA).
3. Plans for the erection of new buildings or playgrounds or for the renovation or modification of existing buildings or playgrounds are submitted to the Department for review prior to the start of construction.
4. The program's exterior doors are locked.
 - a. The program's designated main entrance(s) have a doorbell, buzzer, keypad, swipe card or other comparable means for entrance.
 - b. Unlocked doors are monitored at all times by a staff person.
5. Stairways used by children have a second railing placed at the appropriate height for the children's use.

B. Location of activity rooms

1. Activity rooms used for school age child care are located at ground level or above.
2. Facilities used by the children are not located below ground level.
3. Activity rooms are convenient to the other facilities used by the children/youth, including but not limited to bathrooms, health room and isolation area. When such facilities are located outside of the main activity area, provision is made for supervision by staff.

C. Ventilation and Lighting

1. There is adequate ventilation and artificial lighting throughout the program facility.
2. All activity rooms used for children have provision for natural lighting through a window or a skylight directly to the outdoors.
3. Exterior doors and windows, which are opened for ventilation, are securely screened.
4. The temperature in rooms used by children is maintained within a range of 65 - 74 degrees F° at the level of the children's height and the heat is kept constant.
5. There is a minimum of 300 cubic feet of air space for each child.
6. Portable space heaters are prohibited.

D. There is a minimum of 35 square feet of usable floor space for each child in activity rooms or classrooms used for the school-aged program. The facility does not exceed the licensed capacity.

E. Areas

1. Indoor activity is clearly defined by spatial arrangement.

2. Space is subdivided into areas and is arranged to provide clear pathways for movement from one area to another, to separate noisy activities from quieter ones and to provide for visual supervision by staff.
3. Furniture is placed to ensure safety and ease of supervision.

F. Storage space

1. There is adequate storage of children/youth's clothing and belongings.
2. There is adequate storage space for equipment, materials and supplies.

G. Isolation area

1. There is an isolation area equipped to comfortably accommodate a child/youth who becomes ill.
2. This area is located near a lavatory and is visible for staff supervision.
3. A sick child is isolated a minimum of three feet away from the other children.

H. There is a utility room, separate from the kitchen, with hot and cold water and storage space for cleaning equipment and supplies.

I. Space is provided for administrative and clerical functions.

J. Outdoor play area:

1. is appropriately equipped for gross motor activity.
2. has at least 75 square feet of space per child for at least 50% of the capacity of the program.
3. is easily accessible with a plan for how the outdoor space is utilized to support quality programming and ensure safety.
4. is properly fenced with fencing of at least four feet in height, reasonably level, well-drained, and free from hazards.
5. climbing equipment, swings and large pieces of play equipment are developmentally appropriate for the ages of children, are securely anchored and maintained in good repair.
6. outdoor equipment, including but not limited to swings, slides and climbing apparatus, are:
 - a. age and developmentally appropriate.
 - b. installed, maintained and used in accordance with manufacturers' specifications and instructions.
 - c. approved by the US Consumer Product Safety Commission, and
 - d. maintained in good repair.
7. cushioning materials such as mats, wood chips or sand are used under climbers, slides, revolving equipment or swings.
8. organic cushioning is at least six inches in depth, if used.

K. Toilet facilities

1. There are separate fully enclosed and clearly marked bathroom facilities for boys and girls.
2. Bathrooms contain one toilet and one sink for each group of twenty boys or girls enrolled.
3. Hand washing sinks have both warm and cold running water set to appropriate hand washing temperatures.
4. Water temperature is at least 60 degrees F° and does not exceed 120 degrees F°.
5. There are separate toilet facilities in the same building for staff.

L. Drinking water

1. Drinking water is available and is easily accessible both indoors and outdoors to children throughout the day, including at all meals.
2. Drinking water supplies are located in or near classrooms and playrooms.
3. Drinking cups are single-use and disposable.

4. The source of drinking water is separate from the lavatory.
5. Water fountains are not permitted in the childcare facility, unless disposable single-use cups are used.

M. Food preparation area

1. There is an equipped kitchen for food preparation when meals are prepared at the program.
2. When meals are not prepared at the program, there is an equipped food preparation area to be used exclusively for food handling and distribution, including the preparation of snacks.
3. The kitchen or food preparation area is sanitary, well lit and orderly.
4. Adequate refrigeration temperatures are maintained including 41 F° or lower for refrigerator and 0 F° or lower for freezer.
5. There is sufficient storage and appropriate handling of supplies and means for sterilizing dishes.

N. Cleanliness

1. All parts of the program and its premises are kept in good repair, clean, neat and free of hazards.
2. Products used for cleaning, sanitizing and disinfecting are US Environmental Protection Agency registered and are used in accordance with the manufacturers' instructions.
3. Maintenance of the facility is done when children are not present.
4. If program uses bleach for sanitizing surfaces and toys, bleach dilutions comply with California Environmental Protection Agency, Department of Pesticide Regulation, Sanitize Safely and Effectively: Bleach and Alternatives in Child Care Programs
http://www.ucsfchildcarehealth.org/pdfs/healthandsafety/SanitizeSafely_En0709.pdf.
5. The following methods for achieving the control of rodent and insect infestation are used:
 - a. thorough sanitation and proper screening;
 - b. use of insecticides and rodenticides in accordance with instructions on the label;
 - c. structure blocking of avenues through which insects and rodents could gain access to the building; and
 - d. insecticides and rodenticides used are approved by the Rhode Island Department of Health.
6. All equipment and materials are clean and sanitary and checked regularly to ensure freedom from hazards.

O. Telephone

1. There is a telephone, other than a pay phone, conveniently located within the program facility.
2. The telephone is functional and readily available for use in case of an emergency.
3. Emergency phone numbers, including 911, local fire and police departments, emergency treatment facility, consulting physician or nurse, and poison program are posted in a conspicuous place, adjacent to the phone.
4. Staff do not use personal cell phones while supervising children.

P. Furniture

1. Is sufficient in quantity to accommodate the number of children enrolled.
2. Is safe, durable, child-sized and easily cleaned.
3. Conforms to all applicable safety regulations.
4. Seating is provided for every child.

- Q. Audio-visual equipment, when utilized, is appropriate for the age and developmental level of the children enrolled.
- R. Shared use of premises
1. It is preferable that the premises not be shared by other groups when the program is not in operation. However, with sufficient safeguards for cleanliness, protection of equipment and general sanitation, dual occupancy may be permitted.
 2. A formal request for approval for shared use of the premises is appended to the application.

II. HEALTH AND NUTRITION

- A. At the time of initial employment, all female employees up to thirty-five years of age must have a rubella (German measles) susceptibility blood test or show proof of immunity by previous testing or produce a record of having received rubella vaccine.
- B. Immunization records
1. Any child/youth enrolled in an educational institution (private, charter, public, parochial) is exempt from furnishing immunization records to the school-age child care program. Any child/youth not enrolled in an educational institution submits to the administrative head of the program upon first entering a school age child care program one of the following:
 - a. evidence that such child has been immunized, or is being immunized according to schedule against diphtheria, pertussis, tetanus, polio, measles, haemophilus influenza B, rubella, and mumps, or has had natural disease; or
 - b. an Immunization Exemption Form from a licensed physician stating that such child is not a fit subject for immunization for medical reasons; or
 - c. a certificate signed by the parent or guardian stating that immunizations are contrary to his/her beliefs. (Form is available through the Office of Disease Control at the Department of Health).
 - d. No child may enter a childcare program unless evidence is submitted that the child has received initial doses of required vaccines.
 - e. In the event that the child/youth is not enrolled in an educational institution, the director is responsible for maintain a current record of immunizations of the child/youth who is not fully immunized documenting when immunizations take place and following up with the parent to ensure that the child/youth is being immunized according to schedule.
 - f. Acceptable evidence of immunization:
 - i. a written statement signed by a licensed physician; or
 - ii. an official immunization record card, school immunization record, Medical Passport, World Health Organization immunization record; or
 - iii. other official immunization record acceptable to the Office of Disease Control of the Rhode Island Department of Health; or
 - iv. electronically stored and/or transmitted documentary record (facsimile transmission, computerized records, records on magnetic media or similar record) as may be utilized by a program/school;
 - g. The immunization record contains the day, month and year of each dose of vaccine administered.
 - h. When a child transfers to another program or school, the child's immunization record is released to the authorized program or school official.
- C. Health examination

1. Any child/youth enrolled in an educational institution (private, charter, public, parochial) is exempt from furnishing a Physician's Record of Examination to the school-age child care program.
2. Any child not enrolled in an educational institution presents evidence of a preadmission health physician's record of examination, which includes information regarding any condition or handicap affecting the child's general health.
3. The record of the child/youth's last physical examination, performed in accordance with the recommended schedule for school age children required by the Rhode Island Department of Education for school attendance fulfills this regulation.

D. Daily health assessment

1. The program conducts a daily health assessment of each child.
2. A child who gives any evidence of suspicious symptoms is excluded, waiting in a room apart and attended by an adult until the parent can come for the child.
3. Each child's record contains a statement signed by the parents authorizing the program to act in an emergency.

E. Communicable Disease

1. Child or staff member suffering from a reportable communicable disease follow specific timelines of absence prior to returning to the program in accordance with Rhode Island Department of Health, Division of Disease Prevention and Control, Office Of Communicable Disease Guidelines For Communicable Disease Prevention And Control, <http://www.health.ri.gov/publications/guides/CommunicableDiseasePreventionAndControl.pdf>
2. In the event a child or staff member suffers from a communicable disease, the program provides written notice to inform parent what communicable disease the child may have been exposed to, without providing any identifying information.
3. In all matters of exclusion and readmission of children for reasons of illness, the decision of the program director, in consultation with a licensed physician, applies.

F. Child Abuse and Neglect Reporting

1. Any suspected case of child abuse and/or neglect is reported to the Department of Children, Youth and Families CPS hotline (1-800-RI-CHILD) within twenty-four hours in accordance with state law and DCYF Policy 500.0000: Reporting Child Abuse and/or Neglect (<http://sos.ri.gov/rules/>), including any death or serious injury while in care of the program.
2. The program also reports to the Department's licensing unit immediately after reporting to the CPS hotline.

G. Corporal punishment

1. Staff do not physically restrain children.
2. Staff do not hit, grab, push or pull the children or engage in any form of corporal punishment.
3. Children are not subjected to cruel or severe punishment, humiliation, physical punishment, threats or verbal abuse, including yelling or derogatory remarks.
4. Children are not ignored or neglected.
5. Children are not deprived of meal, snacks, physical activity or outdoor play as a reward or behavior consequence. Exceptions may only be made if specifically states in a child's Individualized Education Program (IEP) or Individual Family Service Plan (IFSP).

H. First aid

1. First aid equipment is available for the less serious problems, including but not limited to common cuts, splinters and brush burns.

2. All staff members have knowledge of general first aid procedures.
3. At least 50% of all staff members involved in direct care who are trained in cardiopulmonary resuscitation (CPR) and who have completed the Red Cross basic first aid course or the equivalent are in attendance in the program at all times.
4. Each program has a choke-saving poster outlining the Heimlich Maneuver which is prominently displayed in the area where the children eat.

I. Injury report

1. Parent must sign a written report on the day that an injury occurs.
2. A copy of this report is placed in the child's record.
3. The injury, first aid and parent communication is recorded in the program's health log.

J. Administration of Medication

1. Each program establishes guidelines for the administration of medications.
2. If a program chooses to administer medication:
 - a. Neither prescribed nor non-prescribed medications are administered to a child without written parental authorization.
 - b. Medication is not administered to a child without a written order from a licensed physician (which may include the label on the medication) indicating that the medicine is for a specified child and is in the original container.
 - c. The written order includes the name of the medication, circumstances under which it may be administered, dosage, and frequency of administration.
 - d. All medications are administered by the program director or designee.
 - e. The program maintains, on a daily basis, a written record of every medication administered. This record includes:
 - i. the child's name;
 - ii. the name and dosage of medication administered;
 - iii. the date and time administered;
 - iv. the name and signature of the person who administered the medication; and
 - v. the name of the licensed physician prescribing the medication.
 - f. In the event of an emergency, the daily log is transported with the child to the emergency treatment facility.
 - g. Medications are stored in clearly labeled original containers out of reach of children.
 - h. Program advises parents to administer medications at home whenever possible.

K. All medical supplies, poisonous or toxic substances, and items of potential danger to children including but not limited to cleaning supplies and equipment, paints, plastic bags and aerosols are clearly labeled, locked and stored out of reach of children.

L. Children with food allergies or special nutrition needs

1. For each child with special health care needs, food allergies or special nutrition needs, the program requests the family to obtain from the child's health provider an individualized care plan that is prepared in consultation with family members and specialists involved in the child's care.
2. The program protects children with food allergies from contact with the problem food.
3. The program asks families of a child with food allergies to give consent for publicly posting information about that child's food allergy.
 - a. If consent is given, that information is posted in the food preparation area and in the areas of the program the child uses so it is a visual reminder to all those who interact with the child during the program day.

- b. If consent for posting is not provided, then this information is shared with all relevant staff, including substitutes, to ensure that they are informed.

M. Health and safety training

- 1. The program ensures that specific training is provided to staff to be able to appropriately address health and safety of children with developmental delays and disabilities, special health and special nutrition needs, including medical needs.
- 2. Nutrition education is offered to childcare providers at least one time per year.
- 3. Physical activity education is offered to childcare providers at least one time per year.

N. Fire drills and evacuation plans

- 1. The administrator or designee conducts at least one fire drill per month that they are in operation.
- 2. Both obstructed and unobstructed drills are conducted and a record of such drills are maintained.
- 3. Programs with night care conduct fire drills during their hours of operation at night.
- 4. Individualized evacuation plans for children with developmental delays and disabilities are in place when appropriate.
- 5. A graphic evacuation plan, identifying alternative escape routes, is posted in each classroom and is in compliance with state fire code.
- 6. The program has a written fire evacuation plan, which includes specific provisions for the evacuation of children and staff with special needs.
- 7. This plan is reviewed and approved annually by the state or local fire inspector.

O. Cleaning and sanitizing routines

- 1. Staff wash their hands with liquid soap and warm running water as needed before any food preparation or service.
- 2. Staff ensure that children wash their hands with liquid soap and warm running water as needed, and:
 - a. after each toileting;
 - b. before each meal or snack;
 - c. after wiping or blowing their nose;
 - d. after outdoor activities or returning from playground.
- 3. Sinks used for food preparation or clean up are not used for hand washing after toileting or diaper changing.
- 4. The program uses appropriate bleach solution or other Environmental Protection Agency approved products for the routine cleaning and sanitizing of all surfaces, which are consistent with the recommendations of *Caring for Our Children: National Health and Safety Performance Standards: Guidelines for Out-of-Home Child Care*, A Joint Collaborative Project of the American Academy of Pediatrics, American Public Health Association and National Resource Program for Health and Safety in Child Care.
- 5. The program posts and follows a cleaning and sanitation schedule consistent with the recommendations of *Caring for Our Children: National Health and Safety Performance Standards: Guidelines for Out-of-Home Child Care*, A Joint Collaborative Project of the American Academy of Pediatrics, American Public Health Association and National Resource Program for Health and Safety in Child Care.

P. Meals and snacks

- 1. The program provides an afternoon snack for the children/youth.
- 2. When the program is in operation full-day, snacks are provided at mid-morning and mid-afternoon and meals are served at suitable intervals.
- 3. Children are provided with a nutritionally-balanced lunch.

4. Breakfast and/or dinner is provided for children who are in care for more than nine hours.
5. Each meal includes one-third of the total daily nutritional requirements recommended by the USDA.
6. Meals and snacks meet current Child and Adult Care Food Program (<http://www.fns.usda.gov/child-nutrition-programs>) nutritional standards for all applicable children. Snacks include fruits, vegetables and milk.
7. High fat, high sugar and high salt foods are served less than one time per week or are not served at all.
8. Additional servings:
 - a. are available when child remains hungry;
 - b. meet nutritional standards; and
 - c. are not required to be the same food as the first serving.
9. Children are not forced to eat and food is not used as a reward.
10. On special occasions, such as parties, food and drink that does not meet nutritional requirements may be served in addition to required meals and snacks.
11. If the parent provides lunches or other meals, the program has written nutrition guidelines that are given to parents at the time of enrollment.
 - a. The program staff monitors meals to ensure nutritional value.
 - b. All meals brought to the program meet current Child and Adult Food Care Program nutritional standards.
12. There is a supply of food available in the program to provide nutritional meals to children whose parents do not provide food and to supplement any foods brought by children, which is not nutritional or of sufficient quantity.
13. Written menus for meals and/or snacks are planned on a five week rotating basis and are posted weekly where parents can see them.

Q. Drinks

1. Safe drinking water is available to children both indoors and outdoors at all times and is offered at intervals that are responsive to the needs of the individual children.
2. Children are encouraged to drink water throughout the day, especially before, during and after outdoor play.
3. Children are served skim or one percent milk.
4. If served, only 100% fruit juice is used.
5. Program does not serve or allow drinks sweetened artificially or with sugar, including soda and flavored milk.
6. Program does not serve or allow caffeinated drinks, including soda and energy drinks.

R. Pets

1. All pets maintained on the premises are kept in a safe and sanitary manner and according to state and local requirements.
2. Children are protected from pets that are potentially dangerous to their health or safety.
3. Parents are notified of any pets on the premises.

S. Prohibited practices

1. Smoking and the use of tobacco products is not permitted in the buildings or outdoor play areas or on grounds within 25 feet of buildings.
2. Smoking in any vehicle used by the program for transporting children is prohibited.
3. No illegal drugs or alcohol is used or permitted in the program facility.
4. No guns or weapons of any kind are permitted in the program facility.

T. Physical activity

1. Staff participate in physical activity with children at least once per day for at least an hour.

2. Indoor and outdoor environment is utilized daily for all children to engage in physical activity.

U. Screen time

1. Screen time is defined as looking at electronic media with a screen, including watching screens while others use the media.
2. Programs that use television or other screen time, the following applies:
 - a. prohibited during meal and snack times. However, snacks may be provided during occasional group activities;
 - b. limited for all other groups whether teaching personnel-directed or a child-selected activity;
 - c. thirty minutes or less per day for each child or group;
 - d. one hour or less per evening for each child or group in evening or overnight care.
3. Exceptions to limited time include:
 - a. electronic media used for children's homework;
 - b. e-readers for reading;
 - c. smart boards and tables if used for hands-on learning activities, such as drawing or puzzles;
 - d. electronic media involving physical activity participation; and
 - e. occasional group activities, such as watching a movie, provided alternate supervised activities remain available to children.

A: PROCEDURE FOR OBTAINING A LICENSE

CONSULTATION – Any person, firm, corporation, association or agency interested in opening a school-age child care center program for school-age children shall contact the Child Care Licensing Supervisor for assignment to a licensing worker. An initial consultation will be held upon request to review the regulations, discuss the need for such a program in the chosen community, review the proposed program, and examine the financial resources available. A preliminary visit to the proposed facility will be made by the licensing worker to determine the feasibility of achieving compliance with regulations.

1. APPLICATION – An application for licensure shall be filed on the prescribed forms provided by the Child Care Licensing Office. A separate application shall be filed for each physical facility to be operated. A complete application, including all supporting documentation shall be submitted.

- The application shall include, but not be limited to, the following:
- the full name, address, mailing address, email address and phone number of the prospective center;
- the full name and address of the applicant;
- ☐ information on incorporation, including, if incorporating, the names, addresses, and titles of the board of directors of the corporation;
- ☐ information on the building in which the center program will be housed, including sketches of the indoor area showing the activity rooms which will be used for school-age child care, the kitchen or food preparation area, the bathrooms for children/youth and staff, and the office space;
- ☐ information on the outdoor play area, including a sketch of this area showing accessibility to the building and the rooms used for school-age child care;
- information on the number and ages of children/youth to be served, age groupings, and staff/child/youth ratio;
- ☐ information on staffing, including the name and qualifications of the director, site coordinator, and other identified staff;

~~• medical information on staff;
 ☐ employment history and criminal record information on staff, fingerprinting, FBI screening and CANT'S screening;
 ☐ information on the program, including the daily schedule of activities, the philosophy of the program, and the developmental goals and objectives on which the program will be based;
 ☐ a listing of the equipment and materials, both indoor and outdoor, available for the implementation of the program;
 • information on the daily feeding program;
 ☐ financial information, including a statement of the financial assets, liabilities and net worth of the applicant, the means of financing, and an anticipated yearly budget for the program;
 a statement signed by the applicant, acknowledging that they have read, and agree to comply with, the REGULATIONS FOR LICENSURE.~~

~~INSPECTION APPROVALS – Prior to the issuance of a license, documentation of the facility being in compliance with local zoning ordinances and with the applicable sections of the State Fire, Building, Health and Sanitation Codes shall be submitted.~~

~~4. LICENSING VISIT – Prior to the issuance of a license, a visit will be made to the facility by the licensing worker in order to determine compliance with the regulations and to develop the maximum capacity for the program.~~

~~**ACTION ON APPLICATION FOR LICENSURE** – Upon receipt of a completed application, inspection approvals, and a report from the licensing worker addressing compliance with the regulations, one of the following actions shall be taken:~~

~~1. _____~~

~~(1) Issuance of a Provisional License;~~

~~(2) Denial of Licensure.~~

B: PROVISIONAL LICENSE

~~A provisional license shall be issued to newly established programs upon successful completion of the application process. This license is granted for a limited period of time, not to exceed six (6) months. The purpose of the provisional license is to allow the licensee time to develop an operational program which meets the needs of the children served and to demonstrate that the program is in compliance with the regulations.~~

~~Prior to the expiration of a provisional license, the operation of the school-age child care center shall be subjected to a complete evaluation to determine compliance with the regulations.~~

~~_____ C: FULL LICENSE~~

~~A full license shall be issued to a program that is determined to be in compliance with the regulations. The license is valid for a period not to exceed one year, expiring on July 31.~~

~~_____ D: PROBATIONARY LICENSE~~

~~_____ A probationary license shall be issued in place of a full license at any time when a licensee is temporarily unable to comply with a regulation or regulations, provided that the area or areas of noncompliance do not present an immediate threat to the health and well-being of the children/youth.~~

~~_____ Before a probationary license can be issued, the licensee must submit written documentation that the area(s) of non-compliance do not present a threat to the health and well-being of the children and a plan~~

to correct the area(s) of non-compliance. This plan must be approved by the Day Care Licensing Supervisor.

~~1. E: Renewal of license~~

~~2. RENEWAL APPLICATION—A licensee shall file a renewal application on the prescribed forms provided by the Day Care Licensing Office at least sixty (60) days prior to the expiration of the license.~~

~~2.INSPECTION APPROVALS—Current inspection approvals shall be submitted prior to renewal to verify that the facility remains in compliance with the appropriate sections of the State Fire, Building, Health and Sanitation Codes.~~

~~3. ACTION ON APPLICATION FOR RENEWAL OF LICENSE—Upon receipt of a renewal application and appropriate inspection approvals, one of the following actions will be taken:~~

~~a. (1) Issuance of a Full License;~~

~~— (2) Issuance of a Probationary License;~~

~~(3) Denial of Licensure.~~

~~— F. MONITORING VISITS~~

~~Licensing workers from the Day Care Licensing Office will make periodic unannounced monitoring visits to the center during the hours of operation in order to determine compliance with the regulations.~~

~~— G. REVOCATION OR DENIAL OF A LICENSE~~

~~— A license shall be denied or revoked for failure to comply with the regulations contained herein, or when there is evidence that the operation of the day care center will pose a threat to the health and/or safety of children/youth enrolled.~~

~~The Administrator of Licensing will notify an applicant or licensee in writing of the Department's decision to deny or revoke a license. The written notification will contain the reason for the denial or revocation. Notice of denial or revocation will be sent to the applicant or licensee at least ten (10) days prior to the effective date of the action, unless there is sufficient evidence to warrant immediate closure. When such circumstances exist, the Administrator of Licensing shall order the immediate removal of all children and the closing of the facility.~~

~~The applicant or licensee has the right to a hearing on the denial or revocation of a license. A written request for hearing shall be submitted to the Administrator of Licensing prior to the effective date of the action or within ten (10) days of receipt of the written notice of denial. The hearing will be scheduled in accordance with the Department's policy on Complaints and Hearings.~~

~~— H. VARIANCE~~

~~— The Administrator of Licensing may allow a variance to a regulation providing that the variance in no way jeopardizes the health, safety or well-being of the children/youth.~~

~~The licensee shall submit a written request for variance to the Administrator of Licensing. This request shall contain documentation as to how the licensee plans to meet the intent of the regulation to be varied. The Administrator of Licensing may request additional supporting documentation as deemed necessary.~~

~~I. PROVISIONS OF THE LICENSE~~

~~1. The license will state the maximum number of children/youth and the age groups to be served in the center.~~

~~The license will state the dates of validity.~~

~~The license shall be posted in a conspicuous place in the center.~~

~~The license is not transferable -- it is granted only to the designated licensee and is limited to the stated location.~~

~~The licensee shall notify the Day Care Licensing Office in writing of major changes which affect the license such as: intent to change the name of the center or the location; intent to change the ownership of the center; change of director or site coordinator; change in the physical facility; change in the numbers or ages of children/youth served; major changes in the program.~~

~~The license entitles the Director of the Department of Children, Youth and Families or his/her designee and the Child Advocate or his/her designee to be given the right of entrance, the privilege to inspect, and access to all records in order to ascertain compliance with regulations and to investigate complaints.~~

~~7. When the operation of a day care center is to be discontinued, the licensee shall provide the Day Care Licensing Office with written notification at least thirty (30) days prior to the closure.~~

~~I. LEGAL AUTHORITY~~

~~CHAPTER 72.1 OF THE GENERAL LAWS OF RHODE ISLAND -- LICENSING AND MONITORING OF CHILD CARE PROVIDERS AND CHILD PLACING AGENCIES~~

~~Section:~~

~~42-72.1-1. Statement of purpose~~

~~42-72.1-2. Definition of terms~~

~~42-72.1-3. Power and scope of activities~~

~~42-72.1-4. License required~~

~~42-72.1-5. General licensing provisions~~

~~42-72.1-6. Violations, suspensions and revocation of license~~

~~42-72.1-7. Penalties for violations~~

~~42-72.1-8. Open door policy~~

~~42-72.1-1. Statement of purpose:~~

~~Definition of terms. Powers and scope of activities. License required. General licensing provisions. Violations, suspensions and revocations of license. Penalties for violations. Open door policy statement of purpose. The director of the department for children and their families, pursuant to 42-72-5(8), shall establish within the department a unit to license and monitor child care providers and child placing agencies, to protect the health, safety and well being of children/youth temporarily separated from or being cared for away from their natural families.~~

~~Services for children requiring licensure under this chapter shall include all child care providers and child placing agencies which offer services within the state, except as defined in 42-72.1-5 of this chapter.~~

~~42-72.1-2. Definitions -- As used in this chapter:~~

~~(1) "Administrator of licensing" means the director of licensing unit (or his/her designee) which carries out the provisions of this chapter, hereafter referred to as administrator.~~

~~(2) "Applicant" means a child placing agency or child care provider that applies for a license to operate.~~

~~(3) "Child" means any person less than eighteen (18) years of age, provided that a child/youth over eighteen (18) years of age who is nevertheless subject to continuing jurisdiction of the family court, pursuant to chapter 1 of title 14 or defined as emotionally disturbed according to chapter 7 of title 40.1, herein shall be considered a child for purposes of this chapter.~~

~~(4) "Child care provider" means a person or agency which offers residential or nonresidential care and/or treatment for a child/youth outside of his/her natural home.~~

~~(5) "Child placing agency" shall mean any private or public agency which receives children for placement into independent living arrangements, supervised apartment living, residential group care facilities, family foster homes or adoptive homes.~~

~~(6) "Child day care" means daily care and/or supervision offered commercially to the public for any part of a twenty-four (24) hour day to children away from their homes.~~

~~(7) "Child day care center" means any person, firm, corporation, association or agency who, on a regular or irregular basis, receives any child under the age of sixteen (16) years, for the purpose of care and/or supervision, not in a home or residence, apart from his parent or guardian for any part of a twenty-four (24) hour day irrespective of compensation or reward. It shall include child care programs that are offered to employees at the worksite. It does not include nursery schools or other programs of educational services subject to approval by the commissioner of education.~~

~~(8) "Family day care home" means any home other than the child's home in which child day care in lieu of parental care and/or supervision is offered at the same time to four (4) or more children who are not relatives of the care giver.~~

~~(9) "Department" means the department for children and their families (DCF).~~

~~(10) "Director" means the director of the department for children and families, or his/her designee.~~

~~(11) "Licensee" means any person, firm, corporations association or agency which holds a valid license under this chapter.~~

~~(12) "Regulation" means any requirement for licensure promulgated pursuant to this chapter having the force of law.~~

~~(13) "Related" means any of the following relationships, by marriage, blood or adoption, even following the death or divorce of a natural parent: parent, grandparent, brother, sister, aunt, uncle, and first cousin. In a prosecution under this chapter or of any law relating thereto, a defendant who relies for a defense upon the relationship of any child to himself, said defendant shall have the burden of proof as to such relationship.~~

~~(14) "Group family day care home" means a residence occupied by a state-certified individual and assisted by a minimum of one (1) state approved assistant. The provider must be at least twenty-one years old and must provide care for not less than nine (9) and not more than twelve (12) children for any part of a twenty-four (24) hour day.~~

~~42-72.1-3. Powers and scope of activities.~~

~~(1) The department shall issue, deny and revoke licenses for, and monitor the operation of, facilities and programs by child placing agencies and child care providers, as defined in [42-72.1-2].~~

~~(2) The department shall adopt, amend, and rescind regulations in accordance with this chapter and implement its provisions. Such regulations shall be promulgated and become effective in accordance with the provisions of the administrative procedures act.~~

~~(3) The department through its licensing unit shall administer and manage the regulations pertaining to the licensing and monitoring of such agencies, and shall exercise all statutory and administrative powers necessary to carry out its functions.~~

~~(4) The administrator shall investigate complaints of noncompliance, and shall take such licensing action as required.~~

~~(5) Regulations formulated pursuant to the foregoing authority shall include, but need not be limited to, the following:~~

~~(a) financial, administrative and organizational ability, and stability of the applicant;~~

~~(b) compliance with specific fire and safety codes and health regulations;~~

~~(c) character, health suitability, qualifications of child care providers;~~

~~(d) staff/child ratios and workload assignments of staff providing care or supervision to children;~~

~~(e) type and content of records or documents that must be maintained to collect and retain information for planning and caring for children;~~

~~(f) procedures and practices regarding basic child care and placing services to ensure protection to the child regarding the manner and appropriateness of placement;~~

~~(g) service to families of children in care;~~

~~(h) program activities, including components related to physical growth, social, emotional, educational and recreational activities, social services and habilitative or rehabilitative treatment;~~

~~(i) investigation of previous employment, criminal record check and department records check;~~

~~(6) The administrator may:~~

~~(a) prescribe such forms for reports, statements, notices and other documents as are deemed necessary;~~

~~(b) prepare and publish manuals and guides explaining this chapter and the regulations to facilitate compliance with and enforcement of the regulations;~~

~~(c) prepare reports and studies to advance the purpose of this chapter;~~

~~(d) provide consultation and technical assistance, as requested, to assist licensees in maintaining compliance;~~

~~(e) refer to the advisory council for children/youth and families for advice and consultation on licensing matter.~~

42-72.1-4. License required.

~~(1) No person shall provide continuing full-time care for a child apart from his parents, or receive or place children in child care services, including day care arrangements, without a license issued pursuant to this chapter. This requirement does not apply to a person related by blood, marriage, guardianship or adoption to the child, unless such arrangement is for purposes of day care.~~

~~(2) The licensing requirement does not apply to shelter operations for parents with children, boarding schools, recreation camps, nursing homes, hospitals, maternity residences and centers for developmentally disabled children.~~

~~(3) No person, no firm, corporation, association, or agency, other than a parent shall place, offer to place, or assist in the placement of a child in Rhode Island, for the purpose of adoption, unless such person, firm, corporation or agency shall have been licensed for such purposes by the department or is a governmental child-placing agency, and such license shall not have been rescinded at the time of placement of a child for the purpose of adoption. The above does not apply when a person, firm,~~

corporation, association or agency places, offers to place, or assists in the placement of a child in Rhode Island, for the purpose of adoption through a child placement agency duly licensed for child placement in the state of Rhode Island or through the department for children and their families, nor when such child is placed with a father, sister, brother, aunt, uncle, grandparent or stepparent of the child.

~~(4) No parent shall assign or otherwise transfer to another not related to him/her by blood or marriage, his/her rights or duties with respect to the permanent care and custody of his/her child under eighteen (18) years of age unless duly authorized so to do by an order or decree of court.~~

~~(5) No person shall bring or send into the state any child for the purpose of placing him/her out, or procuring his/her adoptions or placing him/her in a foster home without first obtaining the written consent of the director and such person shall conform to the rules of the director and comply with the provisions of the Interstate Compact on the Placement of Children.~~

~~(6) No person, firm, corporation, association or agency shall operate a family day care home without a registration certificate issued by the department.~~

~~(7) No state, county, city or political subdivision shall operate a child placing or child care agency, program or facility without a license issued pursuant to this chapter.~~

~~(8) No person shall be exempt from a required license by reason of public or private, sectarian, non-sectarian, court-operated child placement or child care program, for profit or nonprofit status, or by any other reason of funding, sponsorship or affiliation.~~

~~42-72.1-5. General licensing provisions.—The following general licensing provisions shall apply:~~

~~(1) A license issued under this chapter is not transferable and applies only to the licensee and the location stated in the application and remains the property of the department. A license shall be publicly displayed. A license shall be valid for one (1) year from the date of issue and upon continuing compliance with the regulations, except that a certificate issued to a family day care home shall be valid for two (2) years from date of issue.~~

~~(2) A licensee shall comply with applicable state fire and health safety standards.~~

~~(3) The department may grant a provisional license to an applicant who is not able to demonstrate compliance with all of the regulations because the program or residence is not in full operation; however, said applicant must meet all regulations that can be met in the opinion of the administrator before the program is fully operational. The provisional license shall be granted for a limited period not to exceed six (6) months and shall be subject to review every three (3) months.~~

~~(4) The department may grant a probationary license to a licensee who is temporarily unable to comply with a rule or rules when the noncompliance does not present an immediate threat to the health and well-being of the children, and when the licensee has obtained a plan approved by the administrator to correct the areas of noncompliance within the probationary period. A probationary license shall be issued for up to twelve (12) months; it may be extended for an additional six (6) months at the discretion of the administrator. A probationary license that states the conditions of probation may be issued by the administrator at any time for due cause. Any prior existing license is invalidated when a probationary license is issued. When the probationary license expires the administrator may reinstate the original license to the end of its term, issue a new license or revoke the license.~~

~~(5) The administrator will establish criteria and procedure for granting variances as part of the regulations.~~

~~(6) The above exceptions (probationary and provisional licensing and variances) do not apply to and shall not be deemed to constitute any variance from state fire and health safety standards.~~

~~42-72.1-6. Violations, suspensions and revocations of license.~~

~~(1) When a licensee violates the terms of the license, the provisions of this chapter or any regulation thereunder, the department may pursue the administrative remedies herein provided, in addition to other civil or criminal remedies according to the general laws.~~

~~(2) After notice and hearing, as provided by the administrative procedures act, the administrator may revoke the license, or suspend the license for a period not exceeding six (6) months.~~

~~(3) During a suspension the agency, facility or program shall cease operation.~~

~~(4) To end a suspension, the licensee shall, within thirty (30) days of the notice of suspension submit a plan of corrective action to the administrator. Such plan shall outline the steps and timetables for immediate correction of the areas of noncompliance and is subject to approval of the administrator.~~

~~(5) At the end of the suspension, the administrator may reinstate the license for the term of the original license, revoke the license, issue a new license, or deny a reapplication.~~

~~(6) Upon revocation, the licensed agency, program or facility shall cease operation. The licensee whose license has been revoked may not apply for a similar license within a three (3) year period from the date of revocation.~~

~~42-72.1-7. Penalties for violations.~~

~~(1) Any person who violates any of the provisions of this chapter, or any regulations issued pursuant to this chapter, or who shall intentionally make any false statement or reports to the director with reference to the matters contained herein, shall, upon conviction for the first offense, be imprisoned for a term not exceeding six (6) months or be fined not exceeding five hundred dollars (\$500), or both and for a second or subsequent offense, shall be imprisoned for a term not exceeding one (1) year or be fined not exceeding one thousand dollars (\$1000) or both such fine and imprisonment.~~

~~(2) Anyone who maintains or conducts such a program, agency or facility without first having obtained a license as herein provided, or who maintains or conducts such a program, agency or facility after a license has been revoked or suspended or who shall refuse to permit a reasonable inspection and examination of such program, agency or facility, as herein provided, shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than five hundred dollars (\$500) for each week that such program, agency or facility shall have been maintained without a license or for each refusal to permit inspection and examination by the director.~~

~~(3) Any individual firm, corporation or other entity who maintains or conducts a family day care home without first having obtained a registration certificate for the home as provided herein, shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than twenty five dollars (\$25) nor more than one hundred dollars (\$100) for each week that such home shall have been maintained without a valid registration certificate.~~

~~(4) The department shall refer any such violations to the attorney general's office for prosecution.~~

~~42-72.1-8. Open door policy.~~

~~There shall be an open door policy permitting any custodial parent or legal guardian to have access to a day care facility for any program when their child is in attendance.~~

~~CHAPTER 23-28.15 OF THE GENERAL LAWS OF RHODE ISLAND – CHILD DAY CARE~~

~~CENTERS Section. 23-28.15-21. Release of children to proper persons.~~

~~Every operator or employee of a school-age child care center prior to releasing physical custody of any child/youth to any person, shall first ensure that the person to whom physical custody is released is a proper person for such custody.~~

~~A proper person for such custody shall be a person whose name has been furnished and updated annually to the child day care center by a parent or legal guardian of such child, and whose identity can be verified by a proper identification card bearing his or her photograph.~~

~~II. REGULATIONS FOR LICENSURE~~

~~ONE: ENROLLMENT AND STAFFING~~

~~GOAL: The program admits children who are age-appropriate. It is sufficiently staffed to provide individual attention to the children enrolled and to promote their physical, social, emotional, and cognitive development.~~

~~1. AGE FOR ADMISSION: The minimum age for admission shall be five (5) years, or enrolled in kindergarten, for centers operating school age programs. A school age program shall not admit children who are under five (5) years of age or who have not yet entered kindergarten.~~

~~2. AGE INTEGRATION: Centers operating both preschool and school age programs shall comply with regulations as follows:~~

~~The preschool regulations shall apply when the center operates a kindergarten program.~~

~~The preschool regulations shall apply when there is age integration of preschool and school age children. If the center enrolls more than five (5) school age children, a license shall be obtained for school age day care.~~

~~The school age regulations shall apply when the program enrolls more than five children, is operating in a separate facility or is in a separate location within the same facility.~~

~~3. STAFF CHILD RATIO: A staff/child ratio of one adult to thirteen children shall be maintained.~~

~~When programs are operating full day sessions, exception may be made to the above requirement for periods not to exceed one hour duration during arrival and/or departure.~~

~~When staff members are functioning in administrative, supervisory or support services roles, they shall not be counted in the staff/child ratio.~~

~~4. SUPERVISION: Children shall be under the direct supervision of child care staff at all times. All aspects of the program shall be supervised by designated staff.~~

~~5. DIRECTOR: Each School age program shall have a director who shall carry out administrative and staff supervisory functions and who shall be responsible for the overall operation of the program in compliance with these regulations. A director who also serves as site coordinator shall meet the staff qualifications for the position of site coordinator.~~

	<p>6. SITE COORDINATOR: Each school age program shall have a site coordinator. The site coordinator shall be responsible for the daily operation of the program, ensuring the safety and well being of the children enrolled and direct supervision of program staff.</p> <p>The site coordinator may serve as a direct care provider and can be counted in the staff-child ratio while providing direct care.</p> <p>For programs operating five (5) or fewer hours per day, the site coordinator shall be on the premises at all times when the program is in operation.</p> <p>For programs operating more than five (5) hours per day during school vacations and holidays, the site coordinator shall be on the premises for at least 2/3 of the time that the program is in operation.</p>
	<p>STAFF PERSON IN CHARGE: In the absence of the site coordinator, there shall be a staff person designated to be in charge. This person shall be knowledgeable in the overall functioning of the program and shall maintain responsibility for staff supervision during the time that they are in charge.</p>
	<p>SCHOOL- AGE STAFF: Each program shall have additional staff to meet the staff-child ratio requirement as defined above. These staff shall work under the supervision of the site coordinator.</p>
	<p>CONSULTATIVE MEDICAL SERVICES: There shall be readily available the consultant services of a licensed physician or a registered nurse. The program shall have access to such professional services at all times when children are in care. There shall be a letter of understanding to document the availability of these services.</p>
	<p>AUXILIARY STAFF: Provision shall be made to carry out the necessary clerical, housekeeping, kitchen and maintenance functions needed to insure the smooth running of the program. Child-caring staff members may perform these functions but shall not be counted in the staff-child ratio while doing so.</p>
	<p>FOOD SERVICE WORKER: Programs whose enrollment exceeds 20 children shall employ at least one part-time or full-time food service worker if the program prepares and serves meals.</p>
	<p>VOLUNTEERS: All volunteers shall be carefully screened and given a formal orientation to program policies and procedures. Shall also be given a formal orientation to program policies and procedures.</p>
	<p>Volunteers may be counted in the staff-child ratio provided that they work in the</p>

~~program at least five (5) hours per week, make up no more than 20% of the staff, and meet all other staff requirements.~~

~~STAFF COVERAGE: There shall be two or more staff members on site at all times.~~

~~SUBSTITUTES: There shall be a list of substitutes who can be called upon in the event of the absence of a staff member in order to maintain the required staff-child ratio. Substitutes shall meet staff requirements. Long term substitutes shall meet the staff qualifications for the assigned position.~~

~~DISCIPLINE: Staff shall serve as a positive role model for the children in care.~~

~~Staff shall use positive methods in guiding children back on task, shall encourage appropriate behavior, and set clear limits and rules that children can understand.~~

~~Staff shall match their expectations with the children's developing abilities and capabilities.~~

~~Staff shall praise the children's accomplishments as well as their attempts at tasks.~~

~~Staff shall use positive, firm limit setting in situations where a child's' safety is at stake.~~

~~Staff shall assist children by redirecting them from inappropriate actions to actions that are more favorable.~~

~~CORPORAL PUNISHMENT: Staff shall not hit the children or engage in any form of corporal punishment.~~

~~Children shall not be subjected to cruel or severe punishment, humiliation or verbal abuse.~~

~~Children shall not be deprived of meals or snacks as a form of discipline.~~

~~Children shall not be punished for soiling or wetting.~~

~~ONE: PHYSICAL FACILITIES~~

~~GOAL: The indoor and outdoor facilities foster the children's growth and development through a variety of opportunities for safe exploration and learning.~~

~~INSPECTIONS: The physical facilities shall be in compliance with local zoning ordinances and with the applicable sections of the State Building, Fire, Health and Sanitation Codes.~~

~~Prior to licensing, the water in the facility shall be tested and shown to be below~~

~~maximum acceptable standards for lead in drinking water.~~

~~REVIEW OF PLANS: Plans for the erection of new buildings or for the renovation or modification of existing buildings shall be submitted to the Department for review prior to the start of construction.~~

~~LOCATION OF ACTIVITY ROOMS: Activity rooms used for school-age child care shall be located at ground level or above. No facilities used by the children shall be located below ground level.~~

~~There shall be an activity room or area designated as "home base" for the children in the school-age program.~~

~~Activity rooms shall be convenient to the other facilities used by the children, such as bathrooms, health room, isolation area, etc. When such facilities are located outside of the main activity area, provision shall be made for supervision by staff.~~

~~DUAL OCCUPANCY: When a school-age program is operating in a center with a preschool program, the school-age program shall not infringe on the required space, equipment, staff or bathroom facilities for the younger group of children.~~

~~STAIRWAYS: Stairways used by children shall have a handrail located at the appropriate height for the children's use.~~

~~VENTILATION AND LIGHTING: There shall be adequate ventilation and artificial lighting throughout the facility. The "home base" activity room(s) used for children shall have provision for natural lighting through.~~

~~Exterior doors and windows which are opened for ventilation shall be securely screened. The temperature in rooms used by children shall be maintained within an optimal range of 65–74 degrees Fahrenheit at the level of the children's height and the heat shall be kept constant.~~

~~There shall be a minimum of 300 cubic feet of air space for each child.~~

~~SQUARE FOOTAGE: There shall be a minimum of 35 square feet of usable floor space for each child in activity rooms used for the school-age program.~~

~~AREAS: Indoor activity shall be clearly defined by spatial arrangement. Space shall be subdivided into areas and be arranged to provide clear pathways for movement from one area to another, to separate noisy activities from quieter ones, and to provide for visual supervision by staff.~~

~~Furniture shall be placed to ensure safety and ease of supervision.~~

~~STORAGE SPACE: There shall be adequate space for the storage of children/youth's clothing and belongings.~~

~~There shall be adequate storage space for equipment, materials, and supplies.~~

~~ISOLATION AREA: There will be an isolation area equipped to comfortably accommodate a child who becomes ill. This area shall be located near a lavatory and be visible for staff supervision.~~

~~TOILET FACILITIES: There shall be separate fully enclosed bathroom facilities for~~

~~boys and girls. The bathrooms shall contain one toilet and one sink for each group of 20 boys or girls enrolled.~~

~~_____ Hand washing sinks shall have both warm and cold running water.~~

~~_____ There shall be separate toilet facilities for staff.~~

~~_____ DRINKING WATER: There shall be drinking water readily available to the children while they are in the program. Drinking cups shall be single use and disposable. The source of drinking water shall be separate from the lavatory.~~

~~_____ FOOD PREPARATION AREA: There shall be an appropriately equipped kitchen for food preparation when meals are prepared in the facility. When meals are not prepared in the facility, there shall be an appropriately equipped food preparation area to be used exclusively for food handling and distribution, including the preparation of snacks. The kitchen or food preparation area shall be sanitary, well lighted, and orderly, with adequate refrigeration for perishables, appropriate safeguards for the storage and handling of supplies, and means for sterilizing dishes or providing disposables.~~

~~_____ UTILITY ROOM: There shall be a utility room, separate from the kitchen, with hot and cold water and storage space for cleaning equipment and supplies.~~

~~_____ CLEANLINESS: All parts of the facility and its premises shall be kept in good repair, clean, neat, and free of hazards. Maintenance of the facility shall be done when children are not present.~~

~~1. _____~~

~~_____ OUTDOOR PLAY AREA: There shall be an appropriately equipped outdoor play area for gross motor activity. The outdoor play area shall have at least 75 square feet of space for each child and be easily accessible from the facility. It shall be safe, reasonably level, well-drained, and free from hazards.~~

~~_____ Climbing equipment, swings, and large pieces of play equipment shall be securely anchored and maintained in good repair. Cushioning materials such as mats, wood chips, or sand shall be used under climbers, slides, or swings. If organic cushioning (i.e. sand, wood chips, etc.) is used, it shall be of at least 6" in depth.~~

~~TELEPHONE: There shall be a telephone, other than a pay phone, conveniently located within the facility. The telephone shall be kept in working order and shall be readily available for use in case of an emergency.~~

~~_____ Emergency phone numbers, including 911, local fire and police departments, emergency treatment facility, consulting physician or nurse, and poison center shall be posted in a conspicuous place.~~

~~_____ OFFICE SPACE: There shall be space provided for administrative and clerical functions.~~

~~SHARED USE OF PREMISES: It is preferable that the premises not be shared by other groups when the program is not in operation. However, with sufficient safeguards for cleanliness, protection of equipment, and general sanitation, dual occupancy may be permitted. A formal request for approval for shared use of the premises shall be appended to~~

the application.

TWO: HEALTH, SAFETY AND NUTRITION

GOAL: ~~The operation of the program reflects a concern for the health, safety, and nutrition of the children, protects them from abuse and neglect, and serves to educate staff, children, and families in matters concerning health, safety, and nutrition practices.~~

TUBERCULIN TEST: ~~Prior to employment, each full or part time employee and those persons (such as food handlers, bus drivers, volunteers, etc.) whose duties bring them into direct contact with children shall file with the director of the day care program a report from a licensed physician that such person is free of tuberculosis based on a physical examination and a negative Mantoux (PPD) tuberculin skin test by current standards performed not more than six (6) months before the report is filed.~~

~~If the Mantoux test is positive or a previous one is known to have been positive, the physician's certification that the tuberculosis is not communicable shall be based on documentation of adequate chemotherapy for tuberculosis or on a chest x-ray taken not more than six (6) months prior to the certification.~~

~~Employees who have a negative Mantoux test at the time of employment and are free of symptoms suggestive of tuberculosis need not have further testing.~~

RUBELLA: ~~At the time of initial employment, all female employees of child bearing age (up to 35 years of age) shall be required to have a rubella (German measles) susceptibility blood test; or show proof of immunity by previous testing; or produce a record of having received rubella vaccine.~~

IMMUNIZATION RECORDS: ~~Each child upon first entering a school age day care program shall furnish the administrative head of the program with one of the following:~~

~~Evidence that such child has been immunized, or is being immunized according to schedule against diphtheria, pertussis, tetanus, polio, measles, haemophilus influenza B, rubella, and mumps, or has had natural disease;~~

~~or an Immunization Exemption Form from a licensed physician stating that such child is not a fit subject for immunization for medical reasons;~~

~~or a certificate signed by the parent or guardian stating that immunizations are contrary to his/her beliefs. (Said form is available through the Office of Disease Control at the Department of Health).~~

~~No child may enter a day care program unless evidence is submitted that the child has received initial doses of required vaccines.~~

~~The director shall be responsible for maintaining a current record of immunization for the child who is not fully immunized documenting when immunizations take place, and following up with the parent to insure that the child/youth is being immunized according to schedule.~~

~~Acceptable evidence of immunization consists of:~~

~~i. a written statement signed by a licensed physician; or~~

~~ii. an official immunization record card, school immunization record, Medical Passport, World Health Organization immunization record, or other official immunization record acceptable to the Office of Disease Control of the RI Department of Health; or~~

~~iii. electronically stored and/or transmitted documentary records (facsimile transmission, computerized records, records on magnetic media or similar~~

~~record) as may be utilized by a center/school;~~

~~or telephone confirmation of the existence of the immunization records as defined above provided all of the following conditions are met:~~

~~acceptable documentary record is on file with the program/school the child attended previously, or on file with a health care provider, public health agency, other health professional or program/school official responsible for maintenance of immunization records;~~

~~such telephone confirmation is obtained by an official of the program in which the child enrolls;~~

~~telephone confirmation is sought and obtained within one working day of the child's initial enrollment; and~~

~~written documentation is made in the child's health record of the telephone call, the name, address and telephone number of the person who confirmed the immunization status; and~~

~~the written documentary record is received by the program in which the child has enrolled within ten (10) working days of initial enrollment.~~

~~The immunization record shall contain the day, month, and year of each dose of vaccine administered.~~

~~When a child/youth transfers to another program, the child's immunization record shall be released to the authorized program official.~~

~~HEALTH EXAMINATION: Evidence of a preadmission health examination shall be presented, including whatever information the reporting physician deems appropriate, and reporting the presence of any condition or handicap affecting the child's general health.~~

~~The record of the child/youth's last physical examination, performed in accordance with the recommended schedule for school age children required by the RI Department of Education for school attendance shall fulfill this regulation.~~

~~**PREADMISSION CONFERENCE:** A conference including parents, staff and other appropriate specialists, such as a representative from the child's special needs team, shall precede the admission of a child with a handicapping condition to determine the extent to which the child's needs can adequately be met by the program.~~

~~**COMMUNICABLE DISEASE:** Attendance of a child or staff member while suffering from a reportable communicable disease shall be under the direction of the Rhode Island Department of Health, Division of Disease Control.~~

~~———— **DAILY HEALTH ASSESSMENT:** There shall be a daily health assessment of each child upon entering the program. A child who gives evidence of illness shall be isolated from the other children, but kept under adult supervision.~~

~~———— **EMERGENCY AUTHORIZATION:** There shall be a statement signed by the parent in each child record authorizing the program to act in an emergency. This statement shall accompany the child on field trips.~~

~~———— **EXCLUSION AND READMISSION:** In all matters of exclusion and readmission of children for reasons of illness, the decision of the program director, in consultation with a licensed physician, shall apply.~~

~~a)CHILD ABUSE: Any suspected case of child abuse and/or neglect shall be reported to the Department of Children, Youth and Families (1-800-RICHILD) in accordance with state law.~~

~~FIRST AID: First aid equipment for the less serious problems, e.g. common cuts, splinters, brush burn, etc., shall be available.~~

~~a.All staff members shall have knowledge of general first aid procedures.~~

~~b.At least one staff member who is trained in cardiopulmonary resuscitation (CPR) and who has completed the Red Cross basic first aid course or the equivalent shall be available in the program at all times.~~

~~CHOKESAVING POSTER: Each program shall have a choke-saving poster outlining the Heimlich Maneuver. The choke-saving poster shall be prominently displayed in the area where the children eat.~~

~~INJURY REPORT: A written report shall be made to the parent on the day that an injury occurs. A copy of this report shall be placed in the child's record. The injury, first aid and parent communication shall be recorded in the programs health log.~~

~~ADMINISTRATION OF MEDICATION: Each program shall establish guidelines for the administration of medications. If a program chooses to administer medication, the following procedures shall apply:~~

~~1. _____~~

~~a.Neither prescribed nor non-prescribed medications shall be administered to a child without written parental authorization. These written instructions shall include the name of the medication, circumstances under which it may be administered, dosage, and frequency of administration.~~

~~b.Prescription medication shall not be administered to a child without written order of a licensed physician (which may include the label on the medication) which indicates that the medicine is for a specified child and is in the original container.~~

~~c.All medications shall be administered by the program director or his/her designee.~~

~~d.The program shall maintain, on a daily basis, a written record of every medication administered. This record shall include:~~

~~i.the child's name;~~

~~ii.the name and dosage of medication administered;~~

~~iii. the date and time administered;~~

~~_____iv. the name and signature of the person who administered the medication;~~

~~_____v. the name of the physician prescribing the~~

~~medication.~~

~~e. In the event of an emergency, the daily log shall be transported with the child to the emergency treatment facility.~~

~~f. Medications shall be stored in clearly labeled original containers, out of reach of children/youth.~~

~~g. Parents shall be advised that medications should be given at home whenever possible.~~

~~STORAGE OF ITEMS OF POTENTIAL DANGER: All medical supplies, poisonous or toxic substances, and items of potential danger to children (cleaning supplies and equipment, paints, plastic bags, aerosols, etc.) shall be clearly labeled and stored out of reach of children.~~

~~FIRE DRILLS: The program director or his/her designee shall conduct at least one (1) fire drill per month. Both obstructed and unobstructed drills shall be conducted. A record of such drills shall be maintained.~~

- ~~EVACUATION PLAN: A graphic evacuation plan, identifying alternative escape routes, shall be posted in each activity room. This plan shall be in accordance with the State Fire Code.~~
- ~~_____ The program shall have a written fire evacuation plan which includes specific provisions for the evacuation of children/youth and staff with special needs. This plan shall be reviewed and approved annually by the state or local fire inspector.~~
- ~~_____ SMOKING: Smoking shall not be permitted in the facility.~~
- ~~_____ HAND WASHING: Staff shall wash their hands with liquid soap and warm running water as needed and before any food preparation or service.~~
- ~~_____ Staff shall ensure that children wash their hands with liquid soap and warm running water as needed, and:~~
- ~~a) after using the toilet;~~
- ~~b) before each meal or snack;~~
- ~~c) after wiping or blowing their nose;~~
- ~~d) after outdoor activities or returning from the playground~~
- ~~_____ Sinks used for food preparation or clean up shall not be used for hand washing after toileting.~~
- ~~_____ MEALS AND SNACK The program shall provide an afternoon snack for the children. When the program is in operation full day, snacks shall be provided at mid-morning and mid-afternoon and meals shall be served at suitable intervals. During full day programs, children shall be provided with a nutritionally balanced lunch. In addition, breakfast and/or dinner shall be provided for children/youth who are in care for more than nine (9) hours.~~
- ~~If lunches or other meals are provided by the parent, the program shall have written nutrition guidelines which shall be given to parents at the time of enrollment. Staff shall monitor meals to insure nutritional value. There shall be a supply of food available in the facility to provide nutritional meals to children whose parents do not provide food and to supplement any foods brought by children which are not nutritional or of sufficient quantify.~~
- ~~_____ MENUS: Written menus for meals and/or snacks shall be planned at least a week ahead. Children shall be given the opportunity to help plan the menu and prepare the snacks. Menus shall be posted weekly where parents can see them.~~
- ~~_____ PETS: All pets maintained on the premises shall be kept in a safe and sanitary manner and according to state and local requirements. Children shall be protected from pets which are potentially dangerous to their health or safety.~~
- ~~_____~~
- ~~_____~~

III. THREE: ENROLLMENT AND STAFFING

- ~~_____ Child must be GOAL: The program admits children who are age appropriate. It is sufficiently staffed to provide individual attention to the children enrolled and to promote their physical, social, emotional, and cognitive development.~~
- A. 1. AGE FOR ADMISSION:** shall be five (5) years of age ~~or and~~ enrolled in kindergarten to be eligible for admission to a center operating a school age program.
- B. The following applies to 2. AGE INTEGRATION:** centers operating both preschool and school age programs ~~shall:~~

~~1.~~ Childcare Program Regulations for Licensure ~~shall~~ apply when the center operates a kindergarten program.

~~2.~~ Childcare Program Regulations for Licensure ~~shall~~ apply when there is age integration of preschool and school age children. ~~If the center enrolls more than five (5) school age children, a license shall be obtained for school age day care.~~

~~The school age regulations shall apply when the program enrolls more than five children, is operating in a separate facility or is in a separate location within the same facility.~~

~~C. 3. STAFF-CHILD/YOUTH RATIO:~~ A staff-/child/youth ratio of one adult to thirteen children/youth ~~shall be~~ maintained with a maximum group size of twenty-six.

~~1.~~ When programs are operating full-day sessions, exception may be made to the above requirement for periods not to exceed one hour upon opening and one hour before closing. ~~duration during arrival and/or departure.~~

~~2.~~ Staff members are functioning in administrative, supervisory or support services roles ~~shall not be~~ not counted in the staff-/child/youth ratio.

~~D. 4. SUPERVISION:~~ Children/youth ~~shall be~~ under the direct supervision of school-age child care staff at all times.

~~E. Each school age program has an administrator who carries out the administrative and staff supervisory functions and who is responsible for the overall operation of the program in compliance with these regulations. An administrator who also serves as site coordinator meets the staff qualifications for the position of site coordinator.~~

~~5. DIRECTOR: Each School age program shall have a director who shall carry out administrative and staff supervisory functions and who shall be responsible for the overall operation of the program in compliance with these regulations. A director who also serves as site coordinator shall meet the staff qualifications for the position of site coordinator.~~

~~F. 6. SITE COORDINATOR:~~ Each school age program ~~shall have~~ has a site coordinator. The site coordinator ~~shall be~~ responsible for the daily operation of the program, ensuring the safety and well being of the children/youth enrolled and direct supervision of program staff.

~~1.~~ The site coordinator may serve as a direct care provider and can be counted in the staff -child/youth ratio while providing direct care.

~~2.~~ For programs operating five-(5) or fewer hours per day, the site coordinator ~~shall be~~ on the premises at all times when the program is in operation.

~~3.~~ For programs operating more than five-(5) hours per day during school vacations and holidays, the site coordinator ~~shall be~~ on the premises for at least 2/3 of the time that the program is in operation.

~~G. STAFF PERSON IN CHARGE:~~ In the absence of the site coordinator, ~~shall be~~ staff person is designated to be in charge. This person ~~shall be~~ knowledgeable in the overall functioning of the program and ~~shall maintain~~ s responsibility for staff supervision during the time that they are in charge.

~~H. SCHOOL-AGE STAFF:~~ Each program ~~shall have~~ has additional staff to meet the staff -child/youth ratio requirement as defined above. These staff ~~shall~~ work under the supervision of the site coordinator.

- I. ~~CONSULTATIVE MEDICAL SERVICES:~~ ~~There shall be readily available the~~ consultant services of a licensed physician or a registered nurse are readily available. ~~The~~ The program ~~shall have~~ has access to such professional services at all times when children/youth are in care. ~~A~~ shall be letter of understanding documents the availability of these services.
- J. ~~AUXILIARY STAFF:~~ Provisions ~~are~~ shall be made to carry out the necessary clerical, housekeeping, kitchen and maintenance functions needed to insure the smooth running of the program. Child-caring staff members may perform these functions, but ~~shall not be~~ are not counted in the staff-child/youth ratio while doing so.
- K. ~~FOOD SERVICE WORKER:~~ If enrollment exceeds ~~twenty~~ 20 children and the program prepares and serves meals, ~~shall~~ at least one part-time or full-time food service worker is employed.
- L. ~~VOLUNTEERS:~~ All volunteers must be eighteen years of age or older and are cleared and approved. shall be carefully screened and given a formal orientation to program policies and procedures. Shall also be Volunteers are also given a formal orientation to policies and procedures of the program.
- M. Volunteers may be counted in the staff -child/youth ratio provided that they work in the program at least five ~~(5)~~ hours per week, make up no more than 20% of the staff and meet all other staff requirements. Credentialing?
- N. ~~STAFF COVERAGE:~~ There ~~shall be~~ are two or more staff members on site at all times.
- O. ~~SUBSTITUTES:~~ There ~~shall be~~ is a list of substitutes who can be called upon in the event of the absence of a staff member in order to maintain the required staff -child/youth ratio. Substitutes ~~shall~~ meet staff requirements. Credentialing? Long term substitutes ~~shall~~ meet the staff qualifications for the assigned position.
- P. During activities, staff is actively involved and participating with children/youth. Staff support children/youth's contributions with specific encouraging language. Staff encourage children/youth to try out new skills and give support despite imperfect results.

IV. ~~FOUR:~~ STAFF QUALIFICATIONS AND ONGOING PROFESSIONAL DEVELOPMENT REQUIREMENTS

~~GOAL: The program is staffed by adults who understand the development of the school-age child and who recognize and provide for the children/youth's needs.~~

- A. ~~DIRECTOR QUALIFICATIONS:~~ The ~~administrator~~ director ~~shall have~~ has experience in administration or professional preparation in a field appropriate for those who work with school age children. ~~A~~ An administrator ~~director~~ who also serves as site coordinator ~~shall~~ meets the staff qualifications for site coordinator.
- B. ~~SITE COORDINATOR QUALIFICATIONS:~~ The site coordinator ~~shall be~~ is at least ~~24~~ twenty-one years of age and has at least an Associates degree or sixty college credit hours with eighteen of them in a field relating to education, child/youth development, human services, or recreation from an approved and accredited institution of higher education and at least one year of supervised experience working with children/youth or meet one of the following: ~~shall meet one of the following:~~

1. ~~a-~~ Hold a Bachelor's degree in a field relating to education, child development, human services or recreation from an accredited or approved institution of higher education; and have a minimum of one years' supervised experience working with school age children in a group setting (field placements and student teaching ~~will beare~~ counted toward this requirement); or
 2. ~~b-~~ Hold an Associate's degree in a field relating to education, child development, human services or recreation from an accredited or approved institution of higher education; and have a minimum of two years' supervised experience working with school age children in a group setting (field placements and student teaching ~~will beare~~ counted toward this requirement).
- C. ~~SCHOOL AGE STAFF QUALIFICATIONS:~~ School age staff ~~used to meet the ratio requirements shall beare~~ at least ~~18 eighteen~~ years of age ~~and have a high school diploma or GED~~ and ~~shall~~ have had either formal training in child care/~~youth development~~ or at least one year of supervised experience working with school age children/youth in a group setting.
- D. ~~AUXILIARY STAFF QUALIFICATIONS:~~ The qualifications of other staff employed to carry out clerical, housekeeping; kitchen or maintenance functions ~~shall beare~~ consistent with the skills needed to perform the respective job.
- E. ~~CONSULTANTS:~~ When the program employs or uses the services of other professional staff such as physicians, psychiatrists, social caseworkers, psychologists, or nurses, these persons ~~shall~~ meet the minimum professional standards in their particular field. Professional persons whose practice is regulated by state law ~~shall~~ meet the requirements mandated by ~~the State of Rhode Island~~ the state of Rhode Island in their respective fields.
- F. ~~ORIENTATION:~~ The program ~~shall~~ provides a formal orientation for all new staff and volunteers.
1. The orientation ~~shall~~ includes a review of the regulations for licensure and the state law governing child abuse and neglect, as well as program policies and procedures and other information specific to the operation of the program.
 2. All new staff and volunteers ~~shall beare~~ oriented during their first week in the program.
 3. A description of the information covered in the orientation ~~shall beis~~ kept on file for review by the Department representative during monitoring visits.
- G. ~~PROFESSIONAL DEVELOPMENT:~~ All school-age child-caring staff, including the director and the site coordinator, ~~shall~~ complete a minimum of twenty hours per year of training ~~two hours per month or twenty hours per year of training~~.
1. The site coordinator in conjunction with the director ~~shall beis~~ responsible for developing and overseeing an individualized training plan for each staff person.
 2. Training ~~shall beis~~ in areas relevant to the care of school age children and ~~shall be is~~ directed towards transferable skills rather than program-specific knowledge.
 3. Training may consist of, but is not limited to, workshops/seminars conducted by recognized professionals in the field; professional conferences; courses at an approved or accredited institution of higher education; or other similar professional activities such as classroom observation, reading relevant books and articles, ~~etc.~~

4. Documentation of the individual staff training plan and completion of the training ~~shall be~~ kept in the individual's staff folder.

V. EMPLOYMENT BACKGROUND CRIMINAL RECORD AND CLEARANCE OF AGENCY ACTIVITY CHECKS

- A. The program director is responsible for insuring that employment background checks, criminal record checks, and clearance of agency activity checks are conducted on all new staff prior to the assignment of child care duties, including consultants, whether full or part-time, who:
 1. have supervisory or disciplinary power over children; or
 2. have routine contact with children without the presence of other staff.
- B. Employment Background Check
 1. Program conducts an employment background check on each applicant in compliance with DCYF Policy 900.0035, Employment Background Checks: Facility Operators/Employees and Family Child Care Operators/Employees (<http://sos.ri.gov/rules/>).
 2. The affidavit and verification is completed and placed in the personnel file prior to the applicant beginning the job assignment.
- C. Criminal Record Check
 1. Program conducts criminal records on each applicant in accordance with DCYF Policy 900.0040, Criminal Record Background Check(s) (<http://sos.ri.gov/rules/>).
 - a. If the applicant has undergone a criminal records check in accordance with these regulations in the eighteen months prior to the date of application, a letter from the police verifying the date and results of that check is acceptable.
 - b. The affidavit is completed and fingerprints taken prior to the applicant beginning the job assignment. The affidavit and documentation of fingerprinting is placed in the employee's personnel file.
 - c. Within ninety calendar days of hiring, notice is placed in the personnel file identifying the results of the criminal records check. If notice is not received within ninety days, the applicant is relieved of child caring responsibilities.
 2. Disqualifying Information
 - a. If notification is received that disqualifying information was found, the program administrator immediately notifies the employee in writing that his/her employment will be terminated in ten working days.
 - b. A copy of this letter is sent to the Department's licensing unit.
 - c. This letter informs the employee of the right to appeal, in compliance with DCYF Policy 100.0055, Complaints and Hearings (<http://sos.ri.gov/rules/>).
- D. Clearance of Agency Activity
 1. Program conducts clearance of agency activity checks on each applicant in accordance with DCYF Policy 700.0105, Clearance of Agency Activity (<http://sos.ri.gov/rules/>).
 2. The Department notifies the program and the applicant in writing of the results of the clearance of agency activity check.
 3. The program administrator immediately relieves an employee from child caring duties when notice is received from the Department that the

employee is identified as a perpetrator in an indicated Child Protective Services (CPS) investigation listed on the Clearance of Agency Activity Check Addendum - Disqualifying Information.

- E. Appeal of Disqualifying Information
1. Within ten working days of receipt of written notification of disqualifying information, the applicant or employee may appeal the finding in accordance with DCYF Policy 100.0055, Complaints and Hearings (<http://sos.ri.gov/rules/>).
 2. The applicant attaches a copy of his/her report of disqualifying information which identifies the specific disqualifying information.
 3. A copy of this material is sent to the program director.
 4. Within ten working days of submitting the Request for Hearing, the applicant provides written references attesting to excellence in childcare sufficient to warrant disregard of the otherwise disqualifying information. Such references are from individuals who are qualified by virtue of education and/or experience to testify as to the abilities of the applicant. Such individuals include:
 - a. Licensed childcare providers.
 - b. Current or previous childcare professionals.
 - c. Other professionals with credentials that would enable them to judge effectively the applicant's qualifications in providing child care.
 5. The Hearing Officer reviews the materials submitted and rules on the appeal within seventy-two hours of receipt of all materials.
 6. If the applicant has not demonstrated a record of excellence in childcare sufficient to warrant disregard of the otherwise disqualifying information, the Hearing Officer upholds the denial and notifies the applicant of the reason for the decision.
 7. The program is only notified when the applicant has not demonstrated a record of excellence sufficient to warrant disregard of the disqualifying information.
 8. If the applicant has demonstrated a record of excellence in childcare sufficient to warrant disregard of the otherwise disqualifying information, the Hearing Officer notifies the applicant and the program in writing.

~~SEVEN: PARENT-CENTER RELATIONS~~

~~GOAL: Parents are supported in their role of primary care-giver and are informed and encouraged, through a variety of means, to interact with the program.~~

~~1. OPEN DOOR POLICY: The program shall be open to parents and others for observation and visits whenever it is in operation.~~

~~2. PREADMISSION PARENT CONFERENCE: A preadmission conference shall be scheduled to secure health and family history and to obtain relevant background information on the child and his/her home. For children with special needs, the preadmission conference shall include discussion of any relevant~~

- ~~developmental, medical, family, equipment, staffing and/or training needs which are essential for the child's placement. Parents shall be encouraged to invite a representative from the child's special needs team to participate in this conference.~~
- ~~3. PREADMISSION VISITATION: The program shall provide opportunities for the child and parent to visit one or more times before enrollment.~~
- ~~4. PARENT-STAFF CONFERENCE: There shall be a plan for parent staff conferences as a part of the program.~~
- ~~5. ON-GOING COMMUNICATION WITH PARENTS: Parents shall be informed about the program through a parent handbook, newsletters, bulletin boards, notes, telephone calls, and other similar measures.~~
- ~~6. RESOURCE AND REFERRAL: The program shall maintain a directory of professional community services and shall make relevant information available to families as indicated.~~

VI. FIVE: ADMINISTRATION

~~GOAL: The program is administered in a responsible manner and staff are supported in their efforts to provide high quality programming.~~

- ~~A. Program demonstrates fiscal responsibility and stability.~~
- ~~B. The program maintains appropriate insurance for personnel, children enrolled, transportation services, and physical facilities.~~
- ~~C. Transportation of children to and/or from any program adhere to the state law and the rules and regulations of the Rhode Island Registry of Motor Vehicles. Programs providing transportation have written policies regarding the transport of children to and from the program.~~
- ~~D. Each program develops disciplinary policies that are given to parents and staff. These policies are based on an understanding of the individual needs and development of the child. Policies include language that states when challenges with children/youth arise; families are contacted to create partnerships around guidance policies.~~
- ~~E. Release of children
 - ~~1. Parents/guardians sign in and sign out on the release of the child.~~
 - ~~2. Children are only released to the parent or to an individual who is authorized by the parent to pick up the child and whose identity can be verified by a proper identification card bearing his/her photograph.~~
 - ~~3. The program develops written policies and procedures regarding the release of children to persons other than the parent. These policies are given to parents and staff and contain the following:
 - ~~a. Procedure for documenting any custody or restraining orders relating to the child;~~
 - ~~b. Procedure for maintaining current written parental authorization for the release of the child to named individuals, updated at least annually;~~~~~~

- c. Procedure for verification of identity of authorized individuals, including picture identification;
- d. Procedure for handling emergency call-in authorization by the parent, including verification of the identity of the parent over the phone;
- e. Children are not released to an adult under the influence. (program establishes procedure as to who a child should be released to in this circumstance).

F. Program policies and procedures

- 1. The program has written policies and procedures that are given to parents and staff.
- 2. Enrollment policy and fee for services are explained to all parents and staff.
- 3. Policies and procedures include information on:
 - a. child, family, and staff orientation programs;
 - b. medical emergency and sick child procedures;
 - c. group management;
 - d. calendar, program closing, hours of operation;
 - e. schedule of daily activities;
 - f. program goals and philosophy;
 - g. program evaluation;
 - h. children's records requirements;
 - i. supervision of children/youth;
 - j. procedure for reporting cases of child abuse and neglect;
 - k. prohibition of contraband materials and weapons.

G. Personnel policies and procedures

- 1. A written statement of personnel policies and practices is developed and is available to all employees.
- 2. This statement is used in the orientation of new staff members and contains the following:
 - a. job descriptions and qualifications for employment;
 - b. defined time and procedure for staff evaluation;
 - c. employment benefits;
 - d. established channels for complaints and suggestions;
 - e. established work day, work week, and scheduling of staff;
 - f. established salary and wage scales;
 - g. procedures for disciplinary action and termination;
 - h. staff training.

H. Record-keeping

- 1. An appropriate system of record-keeping is established: and hard copy and/or electronic files maintained, and space provided within the program facility for the various records to be maintained.
- 2. Provision is made for the protection of records and reports as well as for insuring their confidentiality where applicable.
- 3. An individual file is maintained for each staff member. This file contains the following:
 - a. Personal data sheet or application containing the employee's name, age, home address, phone, education and work experience;
 - b. Job description;
 - c. Fingerprinting documentation and results of criminal record check and clearance of agency activity check;
 - d. Notarized Employment History and Criminal Record Affidavits;

- e. Documentation of employment history verification;
- f. Health documents;
- g. Attendance record;
- h. Staff performance evaluations;
- i. Documentation of qualifications;
- j. Staff training plan and documentation of participation in staff training;
- k. Statement at time of leaving employment.
- 4. A file is maintained on each child. This file is kept current and includes the following:
 - a. An application form completed by the parent/guardian containing the child's name, birth date, parent/guardian's name, current address and phone number, and work or school address and phone number;
 - b. Date of enrollment;
 - c. For those children not enrolled in an educational institution, the file includes a health record which includes immunization data and a physician's record of examination.
 - d. Parent reported medical information is on file and updated annually, or more frequently as needed.
 - e. Pertinent social information on the child/youth;
 - f. Written authorization from the parent/guardian for emergency medical treatment;
 - g. Written reports of injuries, accidents, or illness occurring while the child is in the program and the treatment given;
 - h. Written authorization from the parent/guardian for the child to participate in and be transported for field trips and other special activities;
 - i. Names of individuals to whom the child may be released;
 - j. Parents/guardians have access to their child's records.

I. Confidentiality

- 1. The programs have a confidentiality policy that requires all employees, consultants and volunteers to maintain confidentiality of child, family, and staff information included in files, conversations, observations, meetings, correspondence, social media, cell phones or any other source.
- 2. Information contained in a child's record is only released with written authorization from the child's parent/guardian.
- 3. The program maintains such authorization on file.
- 4. The program has procedures to ensure the appropriate implementation of this policy.

J. Volunteers

- 1. The following applies to volunteers, who are used on a routine basis as opposed to those who may be involved on an episodic basis, (e.g., for a party, field trip).
- 2. A file is maintained for each volunteer.
- 3. This file is kept current and includes the following:
 - a. A personnel record maintained by the program;
 - b. An application for volunteering that includes signing a statement that he or she does not have a criminal record or a communicable disease;
 - c. Documentation of the volunteer orientation to the program and the volunteer assignment;
 - d. Documentation of understanding that the volunteer must always work under the supervision of program staff and never be left

alone with children or engage in any disciplinary action with a child.

K. At least annually, families, staff, and other professionals are involved in evaluating the program's effectiveness in meeting the needs of the children.

L. Emergency preparedness

1. Facilities develop and implement a written plan that describes the practices and procedures they use to prepare for and respond to emergency or disaster situations.
2. Emergency planning includes procedures described in this section and is individualized to program and hours of operation.
3. Emergency plan includes procedures for:
 - a. serious injuries or illnesses;
 - b. suspected child poisonings and known exposure to toxic substances;
 - c. outbreaks of infectious diseases, including pandemic influenza;
 - d. weather conditions, including tornados, floods, blizzards, hurricanes, and ice storms;
 - e. fires, including wildfires;
 - f. man-made disasters, including chemical and industrial accidents;
 - g. human threats, including bomb threats and terrorist attacks;
 - h. potentially violent situations in program, including individuals with threatening behaviors;
 - i. lost or abducted children;
 - j. utility disruption, including electricity, water, and phone;
 - k. other natural or man-made disasters that could create structural damage to facility or pose health hazards.
4. Emergency plan includes procedures for addressing child needs, with additional considerations for children with disabilities, developmental delays or chronic medical conditions, including individualized evacuation plan for children.
5. Emergency plan includes procedures for personnel to account for each child location on a continual basis during emergencies.
6. Emergency plan includes shelter-in-place procedures for short or extended stay situations that require children to stay in the building such as tornados and other weather emergencies.
7. Emergency plan includes lock-down procedures for situations threatening the safety of children and personnel, such as shootings, hostages, or intruders. Lock-down procedures include:
 - a. notifying personnel;
 - b. keeping children in designated safe locations in the building;
 - c. encouraging children to remain calm and quiet;
 - d. securing building entrances; and
 - e. ensuring unauthorized individuals do not enter the building.
8. Emergency plan includes evacuation procedures for situations that require children leave the building, such as a fire. Evacuation procedures include:
 - a. evacuation routes; and
 - b. pre-determined meeting location(s).
9. Emergency plan includes relocation procedures for situations that require children move to an alternate location, such as a bomb threat or wildfire.

FINANCIAL RESOURCES: Financial resources shall be such as to ensure the program's security in its own future and stability in the community.

- ~~INSURANCE: The program shall maintain appropriate insurance for personnel, children/youth enrolled, transportation services, and physical facilities.~~
- ~~TRANSPORTATION: Transportation of children to and/or from any program shall adhere to the state law and the rules and regulations of the Rhode Island Registry of Motor Vehicles. Programs providing transportation shall have written policies regarding the transport of children to and from the program.~~
- ~~DISCIPLINARY POLICY: Each program shall develop disciplinary policies which shall be given to families and staff. These policies shall be based on an understanding of the individual needs and development of the school-age child.~~
- ~~RELEASE OF CHILDREN/YOUTH: Children shall only be released to the parent or to an individual who is authorized by the parent to pick up the child and whose identity can be verified by a proper identification card bearing his/her photograph.
The program shall develop written policies and procedures regarding the release of children to persons other than the parent. These policies shall be given to parents and staff and shall contain the following:
 - a. Procedure for documenting any custody or restraining orders relating to the child;
 - b. Procedure for maintaining current written parental authorization for the release of the child to named individuals, updated at least annually;
 - c. Procedure for verification of identity of authorized individuals, including picture identification;
 - d. Procedure for handling emergency call-in authorization by the parent, including verification of the identity of the parent over the phone.~~
- ~~PROGRAM POLICIES AND PROCEDURES: The program shall have written policies and procedures which shall be given to families and staff. Enrollment policy and fee for services shall be explained to all families and staff. Policies and procedures shall include information on:
 - a. Child, family, and staff orientation programs;
 - b. Medical emergency and sick child procedures;
 - c. Group management;
 - d. Calendar, program closing, hours of operation;
 - e. Schedule of daily activities;
 - f. Program goals and philosophy;
 - g. Program evaluation;
 - h. Children's records requirements;
 - i. Supervision of children/youth;
 - j. Procedure for reporting cases of child abuse and neglect;~~
- ~~PERSONNEL POLICIES AND PROCEDURES: A written statement of personnel policies and practices shall be developed and shall be made available to all employees. This statement shall be used in the orientation of new staff members and shall contain the following:
 - a. Job descriptions and qualifications for employment;
 - b. Defined time and procedure for staff evaluation;
 - c. Employment benefits;
 - d. Established channels for complaints and suggestions;
 - e. Established work day, work week, and scheduling of staff;
 - f. Established salary and wage scales;
 - g. Procedures for disciplinary action and termination;
 - h. Staff training.~~

- ~~RECORD-KEEPING: An appropriate system of record-keeping shall be established and suitable files and space shall be provided within the facility for the various records to be maintained. Provision shall be made for the protection of records and reports as well as for insuring their confidentiality where applicable.~~
- ~~STAFF FILES: An individual file shall be maintained for each staff member. This file shall contain the following:~~
- ~~a. Personal data sheet or application containing the employee's name, age, home address, phone;~~
 - ~~education and work experience;~~
 - ~~b. Job description;~~
 - ~~c. Fingerprinting documentation and results of criminal record check and CANTS check;~~
 - ~~d. Notarized Employment History and Criminal Record Affidavits; Documentation of employment history verification;~~
 - ~~e. Health documents;~~
 - ~~f. Attendance record;~~
 - ~~g. Staff performance evaluations;~~
 - ~~h. Documentation of qualifications;~~
 - ~~i. Staff training plan and documentation of participation in staff training;~~
 - ~~j. Statement at time of leaving employment.~~
- ~~CHILDREN FILES: A file shall be maintained on each child. This file shall be kept current and shall include the following:~~
- ~~a. An application form completed by the parent/guardian containing the child/youth's name, birth date, school, parent/guardian's or school name, current address, home phone number, and work address and phone number;~~
 - ~~b. Date of enrollment;~~
 - ~~Health record which includes immunization data and physician's record of examination;~~
 - ~~c. For those children/youth not enrolled in an educational institution, the file shall include a health record which includes immunization data and physician's record of examination;~~
 - ~~d. Parent reported medical information should be on file and updated annually, or more frequently as needed;~~
 - ~~e. Pertinent social information on the child/youth;~~
 - ~~f. Written authorization from the parent/guardian for emergency medical treatment;~~
 - ~~g. Written reports of injuries, accidents, or illness occurring while the child is in the program and the treatment given;~~
 - ~~h. Written authorization from the parent/guardian for the child to participate in and be transported for field trips and other special activities;~~
 - ~~i. Names of individuals to whom the child may be released.~~
 - ~~j. Parents/guardians shall have access to their child's records.~~
- ~~CONFIDENTIALITY: Children's records shall be kept confidential. Information contained in a child's record shall only be released with written authorization from the child's parent/guardian. The program shall maintain such authorization on file.~~
- ~~PROGRAM EVALUATION: At least annually, parents, staff, and other professionals shall be involved in evaluating the program's effectiveness in meeting the needs of the children.~~
- ~~LICENSE: The program license shall be displayed in a prominent place within the facility. When a program is operating in a school or other type of facility where space is shared, the license shall be posted in the room or area used as "home base" during the hours that the program is in operation.~~

~~CLOSURE: When a program discontinues its operation, the owner or director shall provide written notification to the Department at least 30 days prior to the closure.~~

- ~~10. Emergency plan includes relocation procedures for situations that require children move to an alternate location, such as a bomb threat or wildfire.~~
- ~~11. Emergency plan includes shelter-in-place procedures for short or extended stay situations that require children to stay in the building such as tornados and other weather emergencies.~~
- ~~12. Emergency plan includes lock-down procedures for situations threatening the safety of children and personnel, such as shootings, hostages, or intruders. Lock-down procedures include:
 - ~~a. notifying personnel;~~
 - ~~b. keeping children in designated safe locations in the building;~~
 - ~~c. encouraging children to remain calm and quiet;~~
 - ~~d. securing building entrances; and~~
 - ~~e. ensuring unauthorized individuals do not enter the building.~~~~
- ~~13. Emergency plan includes evacuation procedures for situations that require children leave the building, such as a fire. Evacuation procedures include:
 - ~~a. evacuation routes; and~~
 - ~~b. pre-determined meeting location(s).~~~~
- ~~14. Emergency plan includes relocation procedures for situations that require children move to an alternate location, such as a bomb threat or wildfire.~~

VII. CURRICULUM

- ~~A. The program clearly evidences an understanding of the needs of school-aged children/youth and provides for their growth through enriching and stimulating experiences suited to their age levels and stages of development. It provides for choice on the part of the children/youth in selection and planning of scheduled activities.~~
- ~~B. There is a daily schedule posted which includes planned activities that provide a change of pace and interest from school. The schedule activities are balanced along the following dimensions:
 - ~~1. indoor/outdoor~~
 - ~~2. quiet/active~~
 - ~~3. individual/small group/large group~~
 - ~~4. large muscle/small muscle~~
 - ~~5. child/youth initiated/staff initiated.~~~~
- ~~C. All programs follow a regular daily schedule. However, planned or routine activities are able to be changed to meet the interests and needs of the children/youth or to cope with weather changes or other situations which affect routines.~~
- ~~D. The program provides a variety of developmentally appropriate activities that (1) involve children/youth in engaging with (creating, combining, reforming) materials or ideas or improving a skill through guided practice as well as balance concrete experiences with abstract concepts; and (2) are selected to achieve the following goals:
 - ~~1. Enhance and enrich each child's unique potential for learning;~~
 - ~~2. Increase each child/youth's use of language and communication skills, both academically and socially-emotionally;~~
 - ~~3. Foster physical and motor development when applicable;~~~~

4. Encourage the development of appropriate emotional attitudes and social skills;
 5. Foster a positive self-image;
 6. Foster trust relationships with adults;
 7. Encourage the child/youth's sense of autonomy and independence;
 8. Foster individual child/youth's interests and curiosity
 9. Expand the child/youth's capacity for independent thinking and exploration;
 10. Encourage optimal health, safety and nutritional practices.
- E. Staff serve as a positive role model for the children/youth in care.
1. Staff use positive methods in guiding children/youth's behavior back on task, encourage appropriate behavior, and set clear limits and rules that children/youth can understand.
 2. Staff match their expectations with the children/youth's developing abilities and capabilities.
 3. Staff praise the children's accomplishments as well as their attempts at tasks.
 4. Staff create a positive environment through their own behaviors such as frequent social conversations with children, joint laughter and affection eye contact, tone of voice and smiles.
 5. Staff assist children by redirecting them from inappropriate actions to activities that are more favorable.
 6. Staff encourage children/youth to understand the relationship between their actions and consequences.
 7. When a child presents challenging behavior, staff:
 - a. observe the behavior;
 - b. identify events, activities, interactions and other factors that predict and may contribute to the challenging behavior;
 - c. use this information to assist the child; and
 - d. work together with families on behalf of their child.
- F. The program provides for assistance with homework as needed.
- G. There is a plan book onsite which details program planning for at least a month in advance. The program planning is the responsibility of the site coordinator. At least monthly, direct staff meet with the site coordinator to consult on program planning at to plan for individual children/youth.
- H. Under not circumstances is a child in care for over twenty-four hours.
1. All staff members required to meet staff-child ratios are awake at all times.
 2. A staff person remains with each group of children at all times.
 3. Emergency lighting devices are installed throughout centers that provide night car.
 4. Sleeping accommodations are restricted to ground floor areas.
 5. Arrangements are made for personal hygiene, including bathing and tooth brushing.
 6. Privacy is ensure for children while they are washing and when they are changing clothes.

VIII. FAMILY ENGAGEMENT

- A. The program is open to families and others for observations and visits whenever it is in operation.

- B. A preadmission conference is offered to secure health and family history and to obtain relevant background information on the child and his/her home.
- C. Programs obtain relevant health background information on the child/youth and his/her family in order to maintain the health and well-being of the child/youth.
- D. For children/youth with special needs, the information includes discussion of any relevant developmental, medical, family equipment, staffing and/or training needs that are essential for the child/youth's placement.
- E. The program provides opportunities for the child/youth and family to visit one or more times before enrollment.
- F. There is a plan for family/staff conferences as a part of the program.
- G. Families are informed about the program through a family handbook, newsletters, bulletin boards, notes, telephone calls and other similar measures.
- H. The program maintains a directory of personal community services and makes relevant information available to families as indicated.

~~III. APPENDIX~~

~~CRIMINAL RECORDS CHECK – DISQUALIFYING INFORMATION~~

~~Information contained in the national criminal identification computer pertaining to conviction or arrest pending disposition for the crimes identified below will result in a letter to the individual disqualifying them from employment in a child day care center.~~

~~Offenses against the Person~~

- ~~Murder~~
- ~~Voluntary Manslaughter~~
- ~~Involuntary Manslaughter~~
- ~~Kidnapping~~
- ~~Kidnapping with intent to extort~~
- ~~First degree sexual assault~~
- ~~Second degree sexual assault~~
- ~~Third degree sexual assault~~
- ~~Assault by spouse~~
- ~~Assault with intent to commit specified felonies~~
- ~~Felony assault~~
- ~~Domestic assault~~
- ~~First degree child abuse~~
- ~~Second degree child abuse~~

~~Offenses Against the Family~~

- ~~Incest~~
- ~~Child snatching~~
- ~~Exploitation for commercial or immoral purposes~~

~~Public Indecency~~

- ~~Transportation for indecent purposes:~~

- Harboring,
- Prostitution
- Pandering
- Deriving support or maintenance from prostitution
- Circulation of obscene publications and shows
- Sale or exhibition to minors of indecent publications, pictures or articles
- Child/youth nudity in publication

~~Drug Offenses~~

~~Any offense constituting a felony which is enumerated in Rhode Island General Law 21-28-1.01 et seq., the Uniform Controlled Substances Act.~~

~~CANTS CHECK ADDENDUM - DISQUALIFYING INFORMATION~~

~~When the applicant/employee has been identified as the indicated perpetrator in a Child Abuse and Neglect Tracking System (CPS) investigation and the final finding(s) of the investigation is listed below, the applicant/employee will be disqualified from assuming school-age child care duties in a child care facility:~~

~~INDICAT~~

~~ED~~

~~FINDING~~

~~S~~

~~DEATH~~

~~(#1)~~

~~BRAIN~~

~~DAMAGE/SKULL~~

~~FRACTURE (#2)~~

~~SUBDURAL~~

~~HEMATOMA (#3)~~

~~INTERNAL~~

~~INJURIES (#4)~~

~~MALNUTRITION/S~~

~~TARVATION (#8)~~

~~VENEREAL~~

~~DISEASE (#30)~~

~~SEXUAL INTERCOURSE (#31)~~

~~SEXUAL EXPLOITATION (#32)~~

~~SEXUAL MOLESTATION (#33)~~

~~FAILURE TO THRIVE (#48)~~

~~INDICATED ABUSE~~

~~FINDINGS ONLY~~

~~BURNS/SCALDING~~

~~(#5)~~

~~POISONING (#6)~~

~~WOUNDS (#7)~~

~~BONE FRACTURES (#9)~~

~~EXCESSIVE/INAPPROPRIATE~~

~~DISCIPLINE (#10)~~

- ~~CUTS/BRUISES/SCALDS (#11)~~
- ~~HUMAN BITES (#12)~~
- ~~SPRAINS/DISLOCATIONS (#13)~~

~~In those instances in which CANTS involvement is noted but not specified above, the applicant/employee is not disqualified from assuming school-age child care duties.~~

IX. APPENDIX

CRIMINAL RECORDS BACKGROUND CHECKS -DISQUALIFYING INFORMATION

Disqualifying Information

The arrest and conviction* or arrest pending disposition for one of the criminal offenses listed below or for any offense, which involves elements of proof that are substantially similar to the offenses listed below, disqualifies an individual from serving in a child caring capacity in a program or service operated by or for DCYF and/or requiring licensure or certification by DCYF or residing in a household wherein such a program or service is provided or from owing or operating any such program or service or from serving as a DCYF employee, intern, volunteer or consultant or from functioning in any other capacity subject to a statewide or nationwide criminal record background check in accordance with federal and/or state law or DCYF rule.

*For purposes of this protocol, "conviction" means a judgment of conviction entered by a court subsequent to a finding of guilty. Further, any case where a defendant has entered a plea of nolo contendere and has received a sentence that includes a fine and/or a period of incarceration constitutes a conviction. Any instance where the defendant has entered a plea of nolo contendere and has received a sentence of only probation constitutes a conviction while the probationary period is pending.

LEVEL 1 OFFENSES

If an individual is disqualified for the arrest and/or conviction for any of the following offenses, that individual has a right to appeal for the purpose of demonstrating that he or she has not been arrested and/or convicted for such an offense.

- Felony Child Abuse or Neglect
- Felony Domestic Violence
- Felony committed against a child
 - 1st Degree Child Molestation
 - 2nd Degree Child Molestation
 - Child Pornography
 - Circulation of obscene publications and shows
 - Sale or exhibition to minor of indecent publications, pictures or articles
 - Child nudity in publication
 - Transportation for Indecent purposes
 - Harboring
 - Prostitution
 - Pandering
 - Deriving support or maintenance from prostitution
- Felony Drug Offense committed less than five years ago
- Felony involving violence

- Murder
- Manslaughter
- Rape
- 1st Degree Sexual Assault
- 2nd Degree Sexual Assault
- Kidnapping
- Car-jacking
- 1st Degree Arson
- 2nd Degree Arson
- Mayhem
- Felony Assault committed less than five years ago
- Felony Battery committed less than five years ago

LEVEL 2 OFFENSES

If an individual is disqualified for the arrest and/or conviction for any of the following offenses, that individual has a right to appeal for the purpose of demonstrating his or her long standing record of excellence in child care:

- Felony Assault committed over five years ago
- Felony Battery committed over five years ago
- Felony Drug Offense committed over five years ago
- Robbery
- Breaking and Entering
- Burglary
- Illegal Possession of a Firearm
- Misdemeanor Domestic Assault
- 3rd Degree Sexual Assault

If an individual is disqualified for the arrest and/or conviction for any of the following offenses, when the offense does not involve a child, that individual has a right to appeal for the purpose of demonstrating his or her long standing record of excellence in child care:

- Transportation for Indecent purposes
- Harboring
- Prostitution
- Pandering
- Deriving support or maintenance from prostitution
- Circulation of obscene publications and show

CLEARANCE OF AGENCY ACTIVITY-ADDENDUM, DISQUALIFYING INFORMATION

An applicant, who has been identified as an indicated perpetrator of a Child Protective Services (CPS) Investigation with a final finding of an allegation listed below, is disqualified from owning or seeking employment in a child care facility, receiving a license to provide care for a child or serving in any other role subject to Department

clearance.

Indicated Abuse or Neglect Findings

Death

Brain Damage/Skull Fracture

Subdural Hematoma

Internal Injury

Malnutrition/Starvation

Drug/Alcohol Abuse*

Sexually Transmitted Disease

Sexual Intercourse

Sexual Exploitation

Sexual Molestation

Failure to Thrive

Indicated Abuse Findings

Burn/Scalding

Poisoning

Wound

Bone Fracture

Excessive/Inappropriate Discipline*

Cut/Bruise/Welt*

Human Bite

Sprain/Dislocation

*In limited situations, involving incidents in which there is no serious physical injury to a child, there can be an administrative determination that, notwithstanding an indication of one of these three allegations, the individual will not be disqualified from employment or licensing.

In instances where CPS involvement is noted, but not specified above, the applicant is

not automatically disqualified from seeking employment or a license. The decision to hire remains with the employer. The decision to license remains with the Department.